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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

4 v.

23 Cr. 490 (SHS)

5 ROBERT MENENDEZ, et al.,

6 Defendants.

Trial

7 -----x

8 New York, N.Y.

9 May 29, 2024

9:45 a.m.

10 Before:

11 HON. SIDNEY H. STEIN,

12 District Judge

13 -and a Jury-

14 APPEARANCES

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17 Southern District of New York

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O5T3MEN1

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O5T3MEN1

(Trial resumed; jury not present)

THE COURT: I wanted to let you know we're missing a juror. My deputy called her number, and it's a recording that says the party you called is unable to accept calls at this time. We'll wait a while and see what happens. Thank you. Stand by.

(Recess)

THE COURT: I thought I'd give everyone an update. We haven't heard from that juror yet. One of the apps says a person was hit by a train at 34th Street and a number of lines are being rerouted, so it may involve that. We just texted her. And I'll let you know as soon as I know what's happening. Thank you.

(Recess)

(In open court; jury not present)

THE COURT: I'm trying to accommodate jurors' issues so what we're going to do is on Friday we can't start at 10, we're going to start at either 11:30 or 1. A juror has something they can't miss. I misstated the time.

Jury entering.

(Jury present)

THE COURT: Good morning, ladies and gentlemen. I don't need to remind you that it's important that everybody be here on time. I know you try. Sometimes things are unavoidable, but we can't do anything unless all of you are

O5T3MEN1

Coughlin - Direct

1 here. I appreciate your continuing efforts in that regard.

2 Mr. Coughlin, I remind you, you remain under oath.

3 You understand that, correct?

4 THE WITNESS: Yes.

5 THE COURT: Mr. Monteleoni, you may continue your
6 direct examination of this witness, sir.

7 MR. MONTELEONI: Thank you, your Honor.

8 Mr. Richenthal, could you please put the board back up.

9 MICHAEL F. COUGHLIN,

10 called as a witness by the Government,

11 having been previously sworn, testified as follows:

12 DIRECT EXAMINATION CONTINUED

13 BY MR. MONTELEONI:

14 Q. Special Agent Coughlin, before we return to the chart we
15 were looking at yesterday, I want to go back to something we
16 covered at the beginning of your testimony.

17 You remember being asked some questions about the
18 display names that were associated with some text messages in
19 the reports of data extracted from a cell phone?

20 A. Yes.

21 Q. Do you remember testifying that those display names come
22 from contact data?

23 A. That's correct, yes.

24 Q. If someone sends a text message and then later changes the
25 name of the contact that that text message recipient is to, if

O5T3MEN1

Coughlin - Direct

1 the phone is later extracted after that, is it going to have
2 the display name for the old contact or the new contact name?

3 A. It would have the display name from the time of the
4 extraction, which would be the later display name.

5 Q. Thank you.

6 MR. MONTELEONI: Mr. Hamill, please put up Government
7 Exhibit 1302, take us to page 19.

8 Q. So, Special Agent Coughlin, do you remember testifying
9 right before the break yesterday, right before the end of the
10 day yesterday about the two WhatsApp messages that were sent,
11 lines 252 and 253, at 7:18 and 7:47 p.m. between the start,
12 between the arrive time and the finish time and the restaurant
13 reservations?

14 A. Yes.

15 Q. And now, could you please remind the jury of what both of
16 those WhatsApp messages said in order.

17 A. Yes. "On the 25th at 2 o'clock." Then "Dinner on the 25th
18 at 8 p.m."

19 Q. So now let's see what happens after that date.

20 MR. MONTELEONI: Mr. Hamill, could you please take us
21 to page 20.

22 Q. Special Agent Coughlin, directing your attention to July 4,
23 2018, at 4:48 p.m., line 259. Who does Hana text?

24 A. He texts Nadine Arslanian.

25 Q. In the quotation in the detail cell, could you please read

O5T3MEN1

Coughlin - Direct

1 the two lines after the line that says "name" and after the
2 line that says "title," the next two lines.

3 A. Sure. "Major General Mohammed el-Keshky, Assistant
4 Minister of Defense for International Relations."

5 Q. There is a number of other names here in this text message.
6 I'm not going to ask you to read all of them but could you
7 please read the third name down above the line that reads
8 "Defense, Military, Naval, and Air Attache."

9 A. Major General Khaled Shawky Osman, Defense, Military, Naval
10 and Air Attache.

11 Q. Is that a name you testified about yesterday?

12 A. Yes.

13 Q. Two lines down, on line 261, could you please read what
14 Nadine texts to Hana at 11:29 a.m. on July 6, 2018.

15 A. "GM. Thank you so much. I showed senator your text this
16 morning."

17 Q. One line down. Who does Nadine text at 11:39 a.m. on
18 July 7?

19 A. Robert Menendez.

20 Q. Could you please read what she texts Menendez.

21 A. "Love of my life. Will asked about the e-mail. If you
22 sent it to me, let me know. If not when you do let me know."

23 THE COURT: Heart emoji.

24 THE WITNESS: Thank you.

25 Q. One line down, could you please read Robert Menendez's

O5T3MEN1

Coughlin - Direct

1 response at 1:17 p.m.

2 A. "Mon amour, I will dictate it and send it later this
3 evening."

4 MR. MONTELEONI: Mr. Hamill, could you please take us
5 to page 21.

6 Q. On the top line on this page, 1:47 a.m. on July 9, 2018,
7 could you please read what Nadine Arslanian texts to Menendez.

8 A. "If you get a chance can you please e-mail me the
9 invitation so I forward it before the meeting tomorrow."

10 Q. One line down, what is Menendez's response at 8:58 a.m.?

11 A. "Will send e-mail around 10:30 a.m."

12 Q. Two lines after that at 10:35 a.m., who does Menendez text?

13 A. Nadine Arslanian.

14 Q. Could you please read just the first three lines from Dear
15 Wael to July 25, 2018.

16 A. "Dear Wael. As per your request, this is to confirm a
17 meeting at my office. 528 Hart Senate Office Building at
18 2 p.m. on July 25, 2018."

19 Q. How does that 2 p.m. July 25, 2018 time compare to the date
20 and time that Hana used WhatsApp to send to Shawky during the
21 time of his Mr. Chow dinner reservation we saw in the
22 restaurant records?

23 A. It's the same.

24 Q. Please read the last lines of this long text starting "I
25 understand."

O5T3MEN1

Coughlin - Direct

1 A. "I understand you will be accompanied by Nadine Arslanian
2 and Andy Aslanian Esquire. I look forward to exchanging views
3 about U.S. Egypt relations. Sincerely, Robert Menendez U.S.
4 Senator."

5 MR. MONTELEONI: And Mr. Hamill, could you scroll down
6 a little bit, please.

7 Q. Two lines down to line 270, what does Nadine text in the
8 second 10:45 a.m. text listed to Robert Menendez?

9 A. "Should I forward it to him or did you forward it to him
10 already."

11 Q. A few lines after that, bottom of the page. What does
12 Menendez respond at 10:42 a.m.?

13 A. "You should do as you've done in the past. Copy it and
14 then send it separately to him."

15 MR. MONTELEONI: Take us to the next page, Mr. Hamill.
16 Page 22.

17 Q. So, at line 274, what does Nadine do after receiving that
18 response from Menendez?

19 A. She then sends it to Wael Hana.

20 MR. MONTELEONI: Let's go ahead a few pages.
21 Mr. Hamill, could you please take us to page 24.

22 Q. Directing your attention to 12:59 p.m. on July 9, 2018.
23 Who does Hana e-mail?

24 A. Viv Montemayor.

25 Q. Is Vivien Montemayor a name you read yesterday with the

O5T3MEN1

Coughlin - Direct

1 signature block for the Egyptian Defense Office?

2 A. That's correct, yes.

3 Q. Without asking you to read it all, what's in the e-mail?

4 A. It's basically the same. It just has an additional line at
5 the top.

6 Q. You say basically the same. Basically the same as what?

7 A. As the previous e-mail we were just discussing. The
8 Menendez e-mail.

9 Q. The text that Menendez sent to Nadine?

10 A. Thank you, yes, the text.

11 Q. I want to briefly discuss something else that happened on
12 the afternoon of July 9, but to do that first I want to jump
13 back a few weeks.

14 MR. MONTELEONI: Mr. Hamill, could you please publish
15 what's in evidence as Government Exhibit 4E-2 and expand the
16 second half of the first page.

17 Q. Special Agent Coughlin, directing your attention around the
18 middle of the page to this forwarded message indication. Who
19 does it say wrote the lengthy forwarded message that's below?

20 A. Andy Aslanian.

21 Q. When does it say that Andy Aslanian wrote it?

22 A. June 27, 2018, at 2:19 p.m.

23 Q. Could you please read the salutation line and the next two
24 sentences up to advisor.

25 A. "General Elasdoudy. It was a pleasure to meet you in my

O5T3MEN1

Coughlin - Direct

1 office last evening. Welcome to the United States as the
2 Egyptian military advisor."

3 MR. MONTELEONI: Mr. Hamill, could you please take us
4 to page 2 of this document and expand the paragraph beginning
5 "another subject that was discussed."

6 Q. Now, Special Agent Coughlin, could you please read the
7 first sentence of this paragraph up to "housing government
8 members."

9 A. "Another subject that was discussed related to Egypt's
10 desire to purchase several townhouses in the Washington, D.C.
11 area for the purpose of housing government members."

12 Q. Around the middle, please read the sentence five lines down
13 that starts "however to solve the problem."

14 A. "However, to solve the problem, one of the persons that I
15 know will agree that we would form an LLC and he would be the
16 member of the LLC, and the LLC would acquire the properties and
17 we would arrange for lease agreements between the LLC and the
18 government of Egypt."

19 Q. Then farther down the paragraph, could you please read from
20 "the person involved is Mr. Fred Daibes" down to the end of the
21 paragraph.

22 A. "The person involved is Mr. Fred Daibes. I have personally
23 known Mr. Daibes for more than 25 years. He is a very
24 successful real estate developer and he currently owns many
25 properties, including over 4,000 apartments. He also is the

O5T3MEN1

Coughlin - Direct

1 president and major shareholder of Mariners Bank. His main
2 company is Daibes Development and Construction Company. As you
3 will recall, he is the gentleman who we had dinner with at his
4 restaurant. When we are ready to move ahead with any of these
5 purchases, he will be ready for us."

6 MR. MONTELEONI: Mr. Hamill, could you please take us
7 up to the first page and expand the top message.

8 Q. Special Agent Coughlin, could you please read the paragraph
9 in the e-mail starting with "plz if you have any remarks."

10 A. "Plz if you have any remarks for Washington houses you
11 should contact General Khaled Shawky the Egyptian military
12 attache, he is authorized to do so. So this invitation should
13 be directed to him."

14 Q. Directing your attention to the cc line. Please read the
15 first e-mail address in the cc line.

16 A. Khaled_Osman12@yahoo.CA.

17 Q. How does that compare to one of the e-mail addresses listed
18 on General Shawky's business card we looked at yesterday?

19 A. It is one of those e-mail addresses.

20 Q. When was this e-mail that was sent back to Andy Aslanian?

21 A. This was June 28, 2018.

22 Q. Now let's return to July 9, 2018.

23 MR. MONTELEONI: Mr. Hamill, could you please put back
24 up Government Exhibit 1302, page 26.

25 Q. Special Agent Coughlin, directing your attention to

O5T3MEN1

Coughlin - Direct

1 6:49 p.m. on July 9, 2018. What does Robert Menendez text to
2 Nadine Arslanian?

3 A. He writes "Did you have your meeting?"

4 Q. Two lines down, what is Nadine's response?

5 A. "Will had one. We sat at different table. He just came to
6 meet current general for Fred's project."

7 Q. At 7:38 p.m. on the next line, what does Nadine write?

8 A. "Fred is very disappointed with Will that he made him with
9 a broken toe come and sit at a different table for almost two
10 hours so he could have dinner with the new general."

11 Q. Directing your attention to the next line at 7:48 p.m. Can
12 you please read what Menendez texts to Nadine.

13 A. "When are you coming to restaurant? I'm here."

14 Q. And then there are a few more messages that I'm not going
15 to ask you to read. But at the bottom of -- well, a little bit
16 further down the screen at 7:58 p.m., what does Nadine
17 Arslanian write?

18 A. "On our way."

19 Q. Directing your attention to the three lines below Nadine
20 texting Menendez "on our way," on the bottom of page 26 and top
21 of page 27. What does Khaled Shawky text to Hana on July 9,
22 2018?

23 A. Shawky texts Hana multiple photos of Robert Menendez,
24 Nadine Arslanian, Khaled Shawky, and Wael Hana.

25 Q. Let's just look at one of these photos.

O5T3MEN1

Coughlin - Direct

1 MR. MONTELEONI: Mr. Hamill, could you please publish
2 what's in evidence as Government Exhibit C206-C. Let's do one
3 more. Can we do C206-D.

4 Mr. Hamill, can you please put back up Government
5 Exhibit 1302, page 27.

6 Q. On July 11, 2018, at 2:54 p.m. who does Hana e-mail?

7 A. Ahmed Helmy.

8 Q. Is this the same Ahmed Helmy who sent Hana screenshots of
9 the letter that was similar to Menendez's e-mail that we talked
10 about yesterday?

11 A. That's correct, yes.

12 Q. Please read the text, the first paragraph the e-mail quoted
13 on this line.

14 A. "I met with the Fred Daibes today who is a major commercial
15 real estate developer, owns a construction company, a bank, and
16 has many other holdings, including over 4,000 luxury
17 apartments. He is interested in partnering with an Egyptian
18 company with regard to the following."

19 Q. Could you please read the three numbered points after that
20 paragraph you just read.

21 A. "1. To build a resort near the Red Sea in Egypt.

22 "2. To the invest in real estate developments in the United
23 States with an Egyptian company.

24 "3. To invest in a manufacturing facility in Egypt for export.
25 For example, a textile or similar facility and he's willing to

O5T3MEN1

Coughlin - Direct

1 consider other types of manufacturing facilities as well."

2 Q. Turning to the next line, line 304. What does Hana do with
3 that e-mail two minutes later?

4 A. He forwards it to Ahmed Essam.

5 Q. Is that the same Ahmed Essam who Hana forwarded Menendez's
6 message about the numbers of Americans?

7 MR. WEITZMAN: Objection. Leading.

8 THE COURT: Sustained.

9 Q. Is this the same Ahmed Essam identified in the chart in the
10 messages you previously read?

11 A. Yes.

12 Q. You testified a few minutes ago about an invitation for a
13 meeting on July 25, 2018.

14 MR. MONTELEONI: Mr. Hamill, could you please put up
15 page 28.

16 Q. Directing your attention to the line on July 23, 2018 at
17 4:26 p.m., who does Viv Montemayor e-mail?

18 A. She e-mails Wael Hana.

19 Q. Let's look at the e-mail.

20 MR. MONTELEONI: Mr. Hamill, could you please publish
21 what's in evidence as Government Exhibit G101.

22 Q. Special Agent Coughlin, could you please read the paragraph
23 starting "please find."

24 A. "Please find the attached White Paper read on for the
25 meeting of the Egyptian delegation with Sen. Menendez on

O5T3MEN1

Coughlin - Direct

1 Wednesday at 11:30 in the morning."

2 Q. Where it says the meeting is on Wednesday, if this e-mail
3 was sent on Monday, July 23, what date would Wednesday be?

4 A. It would be the 25th, July 25th.

5 Q. What is the file name of the attachment?

6 A. It says White Paper.pdf.

7 Q. Let's look at it.

8 MR. MONTELEONI: Mr. Hamill, could you please take us
9 to the second page of Government Exhibit G101.

10 Q. Special Agent Coughlin, directing your attention to the top
11 center of the page. Could you please read the large red text.

12 A. "White Paper (July 2018)."

13 Q. Special Agent Coughlin, I'm not going to ask you to read
14 this whole document but I'd like to look at one section.

15 MR. MONTELEONI: Mr. Hamill, could you please pull up
16 page 5, Government Exhibit G101, and expand the whole section
17 under the last blue heading.

18 Q. Special Agent Coughlin, could you please read the blue
19 heading title in this White Paper.

20 A. "Armament and training cooperation requirements from the
21 U.S."

22 Q. Directing your attention to the third bullet under that
23 heading. Could you please read that bullet.

24 A. "Releasing the suspended amount of U.S. aid, specifically,
25 65.7 millions from FY 2014, 195 millions from FY 2016, and

O5T3MEN1

Coughlin - Direct

1 195 millions from FY 2017, and providing guarantees for
2 expedite issuance of export licenses for the equipment needed
3 to be procured."

4 Q. What are the initials of the phrase fiscal year?

5 A. FY.

6 Q. Directing your attention to the third to last bullet under
7 "armament and training cooperation requirements from the U.S."
8 starting "approving LORs." Can you please read that bullet.

9 A. "Approving LORs submitted since 2015 for procurement of
10 equipment and ammunition needed in countering terrorism, a
11 number of which require Congressional approval."

12 Q. What are the initials for the phrase letter of request?

13 A. LOR.

14 MR. MONTELEONI: Mr. Hamill, you can take that down.
15 Can you please go to Government Exhibit 1302, page 28.

16 Q. Special Agent Coughlin, directing your attention to
17 5:28 p.m. on July 23, 2018. What does Hana do after receiving
18 the White Paper from Viv Montemayor?

19 A. He sends it to Nadine Arslanian.

20 Q. Directing your attention to the next line. What does
21 Nadine do at 10:51 p.m.?

22 A. She then texts it to Robert Menendez.

23 Q. Directing your attention to the next line, what does
24 Menendez do at 11:53 a.m. on July 25, 2018?

25 A. Robert Menendez sends it -- or e-mails it to Robert Kelly

O5T3MEN1

Coughlin - Direct

1 asking to "please print out for me."

2 Q. Let's look what happened on the evening July 25. Directing
3 your attention to July 25, 2018, the series of lines listed as
4 11:52 to 11:54 p.m. Those are lines 315 through 319.

5 Can you please read each of the translations of the
6 WhatsApp messages that Shawky sends to Hana as reflected on the
7 chart.

8 A. Sure. "Good evening dear one. I really want you to
9 understand that I did not basically know before today that
10 there is a personal connection between him and her. I was
11 under the impression that she is a friend of yours. I didn't
12 know when I was setting the tables. Otherwise, I would have
13 had her seated at the main table. Anyway, the mistake was
14 corrected. Please explain this to the senator. Also, explain
15 it to her so she will not continue to be upset. Have a good
16 night."

17 Q. Let's look at what happens the next day.

18 MR. MONTELEONI: Mr. Hamill, can you please pull up
19 what's in evidence as Government Exhibit A101-14 and expand the
20 top text message.

21 Q. Special Agent Coughlin, directing your attention to the
22 "from" line. Who is sending this message?

23 A. Bob Menendez.

24 Q. Who is this message to based on the phone number?

25 A. It's to Nadine Arslanian.

O5T3MEN1

Coughlin - Direct

1 Q. Could you please read the message.

2 A. "Tell Will I am going to sign off this sale to Egypt today.
3 Egypt 46,000 120MM target practice rounds and 10,000 rounds
4 tank ammunition. \$99 million. Note. These tank rounds are
5 for tanks they have had for many years. They are using these
6 in the Sinai for the counterterrorism campaign."

7 MR. MONTELEONI: Mr. Hamill, could you please put up
8 Government Exhibit 1435, page 9.

9 THE COURT: Just a moment, please. Go ahead.

10 MR. MONTELEONI: I'll now read paragraph 8.

11 The physical exhibit marked for identification as
12 Government Exhibit B200, a cell phone assigned the call number
13 ending in 1745, which the FBI lawfully seized from Nadine
14 Menendez on June 16, 2022, pursuant to a court-authorized
15 search warrant. Government Exhibit B200 is referred to in this
16 stipulation as the second Nadine Menendez cell phone.

17 Mr. Hamill, can you please take us to page 10. I'll
18 now read paragraph 8(b).

19 The documents marked for identification as Government
20 Exhibits B201-1 through B201-24 and B233 are true and correct
21 copies of image files and associated metadata extracted from
22 the second Nadine Menendez cell phone.

23 Mr. Hamill could you please pull up what's in evidence
24 as Government Exhibit B201-10.

25 Q. Special Agent Coughlin, what are we looking at here?

O5T3MEN1

Coughlin - Direct

1 A. This is a screenshot of a text conversation.

2 Q. Directing your attention to the middle text message. What
3 message is that?

4 A. This is the text message we were just looking at.

5 Q. Directing your attention to the top of the page. What's
6 the time listed in this screenshot?

7 A. 6:14 p.m.

8 Q. What is the name of the user who sent the text listed in
9 this screenshot?

10 A. Senator Bob Menendez.

11 MR. MONTELEONI: Mr. Hamill, could you please put back
12 up Government Exhibit 1302, take us to page 29.

13 Q. Special Agent Coughlin, directing your attention to
14 July 26, 2018 at 6:16 p.m. Who does Nadine Arslanian text?

15 A. Wael Hana.

16 Q. Could you please read just the first two lines of this
17 message.

18 A. "This sale to Egypt today. Egypt 46,000 120MM target
19 practice rounds and 10,000 rounds tank ammunition \$99 million."

20 Q. Directing your attention to July 26, 2018 at 6:18 p.m. The
21 next line. Please read the first two lines of this message
22 from Nadine to Hana.

23 A. "I am going to sign off this sale to Egypt today. Egypt
24 46,000 120MM target practice rounds and 10,000 rounds tank
25 ammunition. \$99 million."

O5T3MEN1

Coughlin - Direct

1 MR. MONTELEONI: Mr. Hamill could you please scroll
2 back up a little bit so the bottom of the previous page is also
3 visible as well as this page. And you could stop it right
4 there. Thank you.

5 Q. So, Special Agent Coughlin, how does this highlighted
6 July 26, 2018, 6:18 p.m. text compare to the text sent at
7 6:06 p.m. from Menendez to Arslanian that you were just looking
8 at?

9 A. In the message from Menendez to Arslanian it says "tell
10 Will" at the very beginning. Other than that, it is the same.

11 Q. In the message from Nadine to Hana, does it say "tell
12 Will"?

13 A. No, it doesn't. That's removed.

14 MR. MONTELEONI: You can take us back to just page 29,
15 Mr. Hamill. Thank you.

16 Q. Directing your attention to 6:20 p.m. on July 26, who does
17 Hana use WhatsApp to message?

18 A. Khaled Shawky.

19 Q. I'm not going to ask you to read it all. Could you
20 please --

21 THE COURT: Is it essentially the same message?

22 THE WITNESS: It is essentially the same with a slight
23 change at the beginning.

24 MR. MONTELEONI: I was going to direct his attention
25 to the differences. I'm not proposing to read it again and

O5T3MEN1

Coughlin - Direct

1 again.

2 Q. What is the change?

3 THE COURT: What are the differences?

4 THE WITNESS: So, in the message from Menendez to
5 Arslanian, it says "tell Will." Then the message from Nadine
6 to Wael, the "tell Will" is removed. The message from Wael to
7 Khaled Shawky it adds back not "tell Will" but "hey Will."

8 Q. Also an FYI?

9 A. Yes. FYI.

10 Q. Directing your attention to 7:29 p.m. Who does Hana Viber
11 message?

12 A. Ahmed Essam.

13 Q. Is that the same Ahmed Essam we've seen on the chart
14 before?

15 A. Yes.

16 Q. How does the message to Essam compare to the message to
17 Shawky?

18 A. It's the same.

19 Q. Directing your attention to the next line. Sorry.
20 Directing your attention to the next three lines after the
21 message to Essam. What does Shawky send to Hana?

22 A. Thumbs up emoji three times.

23 Q. Directing your attention to the next line, line --

24 THE COURT: All three of those bear the same exact
25 time. 7:49. To the extent you can tell, is he sending it

O5T3MEN1

Coughlin - Direct

1 three times or is that simply a replication of one send, if you
2 know?

3 THE WITNESS: So, in the extraction, it appeared to be
4 sent three times. But I don't know for sure.

5 THE COURT: Okay.

6 Q. Does this chart with the times display the number of
7 seconds or just the hours and the minutes?

8 A. This chart does not display seconds.

9 Q. Does Government Exhibit C206-7 display the number of
10 seconds?

11 A. It does.

12 Q. Directing your attention to the next line, line 329.

13 Please read the translation what Hana sends to Shawky through
14 WhatsApp at 7:51 p.m.

15 A. "Any time. People should repay the kindness."

16 MR. MONTELEONI: Mr. Hamill, could you please scroll
17 down to the top of the next page.

18 Q. Directing your attention to the top of the next page. The
19 next line. Could you please read the translation what Shawky
20 writes to Hana at 8:05 p.m.

21 A. "Is there a more valuable kindness than to sign the
22 contract. The contract owner should send their greetings."

23 Q. Directing your attention to the next line, can you please
24 read the translation what Hana writes to Shawky at 8:08 p.m.

25 A. "Then you should send the greeting because they will ratify

O5T3MEN1

Coughlin - Direct

1 it today."

2 Q. Let's go forward a few months.

3 MR. MONTELEONI: Mr. Hamill, could you please just
4 show us all of page 30.

5 Q. Directing your attention to September 24, 2018, 9:41 a.m.
6 What does the Egyptian defense office send to Hana as reflected
7 on this chart?

8 A. An e-mail with an invitation.

9 Q. What's the event that the invitation is to?

10 A. To Egyptian Armed Forces Day.

11 Q. Directing your attention to the next line, what does Hana
12 do at 11:07 p.m. after receiving it?

13 A. He sends that invitation to Nadine Arslanian.

14 Q. Directing your attention to a few lines down at 5:42 p.m.
15 September 24. What does Nadine text to Menendez?

16 A. The invitation.

17 Q. Let's look at it briefly.

18 MR. MONTELEONI: Mr. Hamill, could you please put up
19 Government Exhibit A101-E.

20 Q. Special Agent Coughlin, what's the date and time of the
21 reception that this invitation is for?

22 A. Tuesday, 2nd of October, 2018, from 7 o'clock to 9 o'clock
23 in the evening.

24 Q. What's the location of the reception?

25 A. The Embassy of the Arab Republic of Egypt.

O5T3MEN1

Coughlin - Direct

1 MR. MONTELEONI: Let's go back to the chart.

2 Mr. Hamill, could you please put back up Government
3 Exhibit 1302, page 30.

4 Q. Directing your attention to October 2, 2018 at 4:51 p.m.
5 First, how does that date and time compare to the October 2,
6 2018, 7 to 9 p.m. on the invitation?

7 A. Same date, but it is a few hours before.

8 Q. Can you please read what Nadine texts Menendez starting at
9 "in your speech."

10 A. "In your speech could you please say Egypt now in the right
11 direction with the new government now. With the International
12 Monetary Fund and all the new developments new capital and the
13 new Suez Canal. Egypt is important to the United States."

14 Q. Directing your attention to the next line. Please read
15 Menendez's response at 4:53 p.m.?

16 A. "Really?" Three question marks.

17 Q. Directing your attention to the next line. Whose search
18 history is listed at 4:54 p.m.?

19 A. Robert Menendez.

20 Q. Please read the search terms used as reflected on this
21 chart.

22 A. "Egypt and International Monetary Fund."

23 Q. Directing your attention to the next line. Can you please
24 read the description of Menendez's web activity history.

25 A. "Visits web page with title 'Frequently Asked Questions On

O5T3MEN1

Coughlin - Direct

1 Egypt and the IMF.'"

2 Q. Directing your attention two lines down to 5:37 p.m. Can
3 you please read the first quoted sentence that Nadine writes to
4 Menendez.

5 A. "Will said please just speak about the IMF. That's
6 important."

7 Q. Let's go a few months farther ahead.

8 MR. MONTELEONI: Mr. Hamill, can you please take us to
9 page 31 of Government Exhibit 1302.

10 Q. Special Agent Coughlin, directing your attention to
11 January 22, 2019. The first 11:04 a.m. line. What does Hana
12 text to Nadine?

13 A. "I did call. We have to arrange a meeting in D.C. and a
14 visit to Egypt."

15 MR. MONTELEONI: Mr. Hamill, can you please pull up
16 page 32 of Government Exhibit 1302.

17 Q. So directing your attention to January 24, 2019, at
18 2:22 p.m., the first 2:22 p.m., line 373, what does Nadine text
19 to Hana?

20 A. "I just finished. I can meet you in 15 minutes at Park
21 Cafe."

22 Q. Skipping down a few rows to line 379. What does she text
23 to Hana at 2:44 p.m.?

24 A. "I'll be there in 10 or less. I'll text you when outside."

25 Q. Two rows down, what does she text at 2:56 p.m. on

O5T3MEN1

Coughlin - Direct

1 January 24, 2019?

2 A. "I'm outside."

3 Q. Directing your attention to the next row. What does
4 Menendez text Nadine at 5:28 p.m.?

5 A. "I lost you" two exclamation points.

6 Q. What is Nadine's response at 5:30 p.m.?

7 A. "You could never lose me because I will never let go. I
8 have just have a super 40 minute meeting with Will."

9 Q. Could you please read Menendez's reply also at 5:30 p.m.?

10 A. "Okay. Can't see you on Find My Friends."

11 Q. How does Nadine respond at 5:33 p.m.?

12 A. "I just pulled over. I will check it. Thank you for
13 letting me know."

14 Q. Directing your attention to the next line, the second
15 5:33 p.m. entry. Can you please read the quoted language
16 texted by Nadine as reflected in the chart.

17 A. "I will check now but I'm sending you the picture of the
18 map."

19 Q. Let's look at what's attached.

20 MR. MONTELEONI: Mr. Hamill, can you please publish
21 what's in evidence as Government Exhibit A101-Z.

22 Q. So directing your attention to the top center of the page,
23 Special Agent Coughlin, what's the time reflected in this
24 screenshot?

25 A. It says 5:32 p.m.

O5T3MEN1

Coughlin - Direct

1 Q. About how long is that before Nadine texts Menendez at
2 5:33 p.m.?

3 A. Just a minute.

4 Q. Right below the time, what are the words that are written?

5 A. "Find my Friends."

6 Q. What is Find My Friends in the context of an iPhone?

7 A. As you said, iPhone, it is an iPhone app in which you can
8 link with other folks who have iPhones so you can see each
9 other's locations.

10 Q. Directing your attention to the blue circle near the middle
11 of the page. What's written on the small white rectangle on
12 top of the circle?

13 A. It says "me."

14 Q. Can you please return us to Government Exhibit 1302
15 page 33. Special Agent Coughlin, can you please read what
16 Nadine texts Menendez one minute later at 5:34.

17 A. "It shows it on my phone."

18 Q. Let's look at the screenshot that she attaches.

19 MR. MONTELEONI: Mr. Hamill, can you please put up
20 what's in evidence as Government Exhibit A101-AA.

21 Q. What is the time at the top center of this exhibit?

22 A. 5:34 p.m.

23 Q. What is written right below the time?

24 A. "Me."

25 Q. Going down to around the middle of the page to the row that

O5T3MEN1

Coughlin - Direct

1 starts "share my location." Is "share my location" on or off?

2 A. Yes, it's on.

3 MR. MONTELEONI: Return to the chart. Mr. Hamill, can
4 you please -- yes, thank you. Take us back to page 33,
5 perfect.

6 Q. Directing your attention to 5:34 p.m. On that date,
7 line 388, how does Menendez respond after receiving the text we
8 just looked at?

9 A. He says "not mine."

10 Q. Directing your attention to the next line. What does he
11 write also at 5:34?

12 A. "But all good."

13 Q. Directing your attention to the next line 5:35. Can you
14 please read Nadine's response.

15 A. "No, my love. I love that you check to see where I am. It
16 has to always work perfectly."

17 Q. Please read Menendez's response at 5:36 p.m.

18 A. "Okay. You put it on again."

19 Q. Two lines down, what does Nadine write at 5:39 p.m.?

20 A. "Good luck at the meeting, my love. Thank you for checking
21 on me. You make me feel so special." Kiss emoji and heart
22 emoji.

23 Q. Let's go a few days forward. Directing your attention to
24 January 28, 2019 at 8:18 a.m. Who is Hana sending WhatsApp
25 messages to on this line?

O5T3MEN1

Coughlin - Direct

1 A. Ahmed Helmy.

2 Q. What's attached to this WhatsApp message?

3 A. It is a photo of Nadine, Wael, and Robert Menendez.

4 Q. Can you go to page 34. Directing your attention to the
5 next line. Who is in the second photo that Hana sends to
6 Helmy?

7 A. That's Wael Hana and Robert Menendez.

8 Q. Two lines down at 11:33 a.m., can you please read the
9 translation what Hana writes to Helmy.

10 A. "Boss, the secretary and I can meet with the commerce
11 attache on Wednesday."

12 MR. MONTELEONI: Now, Mr. Hamill, can you please put
13 up to one side Government Exhibit 10J-2 which is in evidence.
14 Can you please expand January of 2019.

15 Q. Special Agent Coughlin, where Hana writes "Wednesday," what
16 day of the week was January 30 of 2019?

17 A. January 30 was a Wednesday.

18 MR. MONTELEONI: You can take down Government
19 Exhibit 10J-2, Mr. Hamill, thank you.

20 Q. A few lines down, line 408, 2:37 p.m. on January 29, 2019.
21 What does Hana text to Nadine?

22 A. "Our meeting tomorrow 11 a.m. in D.C."

23 MR. MONTELEONI: Can we go down a little farther,
24 Mr. Hamill.

25 Q. So at 8:33 p.m., on January 29, 2019, what does Hana write

O5T3MEN1

Coughlin - Direct

1 to Helmy?

2 A. "Boss, tomorrow, at the door, whom should I say I am
3 meeting with?"

4 Q. Please read Helmy's three responses at 8:34 p.m. in order.

5 A. "With the commerce advisor Ahmad Husni or with me, it won't
6 make a difference. I will let them know at the door."

7 MR. MONTELEONI: A few more lines down, sorry, on the
8 next page actually, Mr. Hamill.

9 Q. If you can go look at line 425 at 8:45 a.m. on January 30,
10 2019, please read what Menendez texts to Nadine.

11 A. "Bonjour, mon amour de la vie. Be safe. Also, don't
12 commit to anything today just listen. Just listen. Je
13 t'aime." Kissing emoji and two heart emoji.

14 Q. Directing your attention to the next line 10:54 a.m. on
15 January 30, 2019. What does Hana text to Helmy with WhatsApp?

16 A. "I'm here."

17 MR. MONTELEONI: At 12:26 to 12:35 p.m. there is an
18 entry citing Government Exhibit B108. Can we, Mr. Hamill, can
19 you please publish what's in evidence as Government Exhibit
20 B108, first page.

21 Q. And by the way, could you remind the jury who that line
22 that we just looked at indicates was the user who performed the
23 actions reflected in B108?

24 A. That was for Nadine Arslanian.

25 Q. So, directing your attention to the top quarter of this

O5T3MEN1

Coughlin - Direct

1 page. Can you please read the heading words under the orange
2 line and above the gray column headings.

3 A. Yes. "Extraction report."

4 Q. Then below the orange line, can you please read what's a
5 few lines under but before you get to the gray column.

6 A. "Web history."

7 Q. Let's look at these column headings. Please read the
8 heading in the second column from the left.

9 A. "Title."

10 Q. Please read the heading of the third column from the left.

11 A. "URL."

12 Q. What is a URL?

13 A. That's just a website. The address for a website.

14 Q. Going all the way to the right, what's the heading of the
15 last column to the right?

16 A. "Deleted."

17 MR. MONTELEONI: Mr. Hamill, can you please publish
18 page 5 and expand the cells.

19 Q. Special Agent Coughlin, there are two rows here. Directing
20 your attention to the fourth column with the dates and the
21 times in it. Which of these rows has the earlier time?

22 A. The bottom row has the earlier time.

23 (Continued on next page)
24
25

O5tWmen2

Coughlin - Direct

1 Q. Are the times in this document in reverse chronological
2 order?

3 A. Yes.

4 Q. Directing your attention to this last row, please read the
5 second column in the row right after the number 17.

6 A. "Export international shipping company in Texas Google
7 search."

8 Q. And directing your attention to the last column, which you
9 previously testified had the heading deleted, please read
10 what's listed in the deleted column?

11 A. "Yes."

12 MR. MONTELEONI: Mr. Hamill, could you please take us
13 to page 3 and expand the bottom half of the page.

14 Q. So, directing your attention to the row numbered 11, could
15 you please read what's written in the second column?

16 A. "Export international company from Texas United States to
17 Egypt Google search."

18 Q. What's written in the deleted column for this row?

19 A. "Yes."

20 Q. Directing your attention one row up, could you please read
21 what's in the second column?

22 A. "Cairo, Egypt, freight forwarding cargo logistics plus."

23 Q. And what's in the deleted column for this row?

24 A. Yes.

25 Q. And directing your attention to the row numbered nine,

O5tWmen2

Coughlin - Direct

1 what's in the second column?

2 A. "Ship container to Egypt, I containers."

3 Q. What's in the deleted column here?

4 A. "Yes."

5 MR. MONTELEONI: Mr. Hamill, please take us back to
6 Government Exhibit 1302, page 35.

7 Q. Special Agent Coughlin, directing your attention to January
8 30, 2019, at 1:15, what does Nadine Arslanian text to a user
9 listed as Heather Joy?

10 A. "So sorry. I left for Washington, D.C. at 4:30 a.m. I am
11 in meeting with head of intelligence for Egypt. So sorry."

12 MR. MONTELEONI: Let's go back to the search history
13 one more time.

14 Mr. Hamill, could you please put up what's in evidence
15 as Government Exhibit B108 and expand the first page.

16 Q. Directing your attention to the top row, what's the time in
17 the fourth column?

18 A. 5:20:48 p.m.

19 Q. And what's the date?

20 A. 1/30, 2019.

21 Q. What's written in the title column?

22 A. "Morton's, Washington, D.C. Google search."

23 Q. Are you familiar with a business named Morton's?

24 A. Yes.

25 Q. What type of business is it?

O5tWmen2

Coughlin - Direct

1 A. It's a restaurant. It's a steakhouse.

2 Q. Does it have a branch in Washington, D.C.?

3 A. It does, yes.

4 Q. What's written in the deleted column here?

5 A. "Yes."

6 MR. MONTELEONI: Mr. Hamill, can you please put up
7 Government Exhibit 1430, page 4.

8 I'll now read paragraph 34:

9 "The document marked for identification as Government
10 Exhibit 2B-6 is a true and accurate photograph of Morton's, The
11 Steakhouse, located at 1050 Connecticut Avenue, Washington,
12 D.C."

13 Mr. Hamill, could you please put up what's in evidence
14 as Government Exhibit 2B-6.

15 Let's return to the chart.

16 Mr. Hamill, could you please put up Government Exhibit
17 1302, page 35.

18 Q. On January 30, 2019, directing your attention to the last
19 line, at 5:22 p.m., what does Nadine text to Hana?

20 A. A screenshot of Google search results for The Morton's.

21 Q. Have you tried to Google The Morton's in Washington D.C.?

22 A. Yes, I have.

23 Q. How does the phone number that you found compare with the
24 phone number here?

25 A. That's the same phone number.

05tWmen2

Coughlin - Direct

1 Q. Directing your attention to the next page, page 36, the
2 first 5:23 p.m. row on this page, who does Hana message after
3 getting this text from Nadine?

4 A. Ahmed Helmy.

5 Q. What does Hana send Helmy?

6 A. It's the same screenshot of The Morton's.

7 Q. Going a couple lines down, to the last 5:23 p.m. entry,
8 line 439, 5:23 on January 30, 2019, please read the
9 translation, what Hana writes to Helmy?

10 A. "Wednesday at 8."

11 MR. MONTELEONI: Mr. Hamill, could you please put up
12 to one side Government Exhibit 10J-2.

13 Please expand February.

14 Q. What day of the week, Special Agent Coughlin, was February
15 6, 2019?

16 A. That was a Wednesday.

17 MR. MONTELEONI: Can you take us back to Government
18 Exhibit 1302, page 36.

19 Q. Directing your attention to January 31, 2019, at 8:52 a.m.,
20 please read what Nadine texts to André Arslanian?

21 A. "2019 is going to be a fantastic year for all of us. Bob
22 keeps telling me that and I'm really starting to believe it."

23 Q. Directing your attention --

24 MR. MONTELEONI: Go down a little bit.

25 Q. Directing your attention to February 1, 2019 -- yeah -- at

05tWmen2

Coughlin - Direct

1 11:44 a.m., please read just the first line of Nadine's text to
2 Hana?

3 A. "GM. The reservation for Morton's is made."

4 Q. Directing your attention to the next line, at 12:07 p.m.,
5 what does Hana text to Helmy?

6 A. "Good morning. The reservation for Morton's is made."

7 Q. Please read Helmy's response at 1:40.

8 A. "Perfect."

9 Q. And could you please read Helmy's message at 1:42 p.m.,
10 line 448?

11 A. "Did you choose the table? Or I call them to do it?"

12 Q. Please read Hana's first 1:43 p.m. response at 449?

13 A. "He is the one called."

14 Q. Please read the second 1:43 p.m. response.

15 A. "I did ask him to do it."

16 Q. Please read Helmy's reply at 1:44 p.m.

17 A. "OK, but he is my guest. Make sure of that, Wael, please."

18 MR. MONTELEONI: Mr. Hamill, could you please take us
19 to the next page.

20 Q. How does Hana respond at the top of the page?

21 A. "We all your guests. Don't worry."

22 Q. What does Hana write at 1:45 p.m. -- sorry.

23 What does Helmy write at 1:45 p.m.?

24 A. Thumbs up emoji.

25 Q. Then one line down, what does Hana then write to Helmy?

O5tWmen2

Coughlin - Direct

1 A. "He knows."

2 Q. What does Helmy write on the next line, line 455?

3 A. "Because I am the one who invited."

4 Q. What does Hana write on line 456, his first 1:46 p.m.
5 message?

6 A. "I know and I told him."

7 Q. Could you please read what Hana sends in his last 1:46 p.m.
8 message?

9 A. "And here except the invitation."

10 Q. Directing your attention to the next line, please read what
11 Hana writes there.

12 A. "Next one official meeting at his office."

13 MR. MONTELEONI: I'd like to show you another
14 document.

15 First, Mr. Hamill, could you please put up Government
16 Exhibit 1435, page 27.

17 I'll now read paragraph 28:

18 "28. The physical exhibit marked for identification
19 as Government Exhibit F100 is a cell phone assigned to call
20 number," and a number ending in in 7810, "which the FBI
21 lawfully seized from Nader Moussa on June 16, 2022, pursuant to
22 a court-authorized search warrant. Government Exhibit F100 is
23 referred to in this stipulation as the Moussa cell phone."

24 Could you please take us to page 28, Mr. Hamill.

25 I'll now read part of paragraph 28b:

O5tWmen2

Coughlin - Direct

1 "The documents marked for identification as Government
2 Exhibits F101 through F106 and F108 through F126 are true and
3 correct copies of reports of data extracted from the Moussa
4 cell phone reflecting messages between the user of the Moussa
5 cell phone and the users of devices and accounts identified in
6 the reports."

7 Pursuant to that, the government offers Government
8 Exhibits F109, F109-T and F109-A.

9 THE COURT: Admitted.

10 (Government Exhibits F109, F109-T and F109-A received
11 in evidence)

12 MR. MONTELEONI: Before we publish them, since this
13 mentioned the cell phone of Nader Moussa, I believe that his
14 photo was already shown to the jury, but Mr. Richenthal, can
15 you please put Government Exhibit 2A-22 up on the board.

16 And while that's going on, Mr. Hamill, could you
17 please put up Government Exhibit F109-T.

18 Q. Special Agent Coughlin, on this first page, directing your
19 attention to the from line on the bottom green bubble on the
20 page, directing your attention to the from line, what's the
21 display name of the user that this message is from?

22 A. Nader.

23 Q. And could you please read the black English text next to
24 the white Arabic text on the line that the message is to?

25 A. "Wa'il."

O5tWmen2

Coughlin - Direct

1 MR. MONTELEONI: Mr. Hamill, could you please take us
2 to the bottom, could you actually scroll down to the top of the
3 next page.

4 Q. Special Agent Coughlin, is this all one long text message
5 that's split between two pages?

6 A. Yes, that's correct.

7 Q. Now, directing your attention to the date and time at the
8 very bottom of this long text message, could you please read
9 the date and time?

10 A. Yes. It says 2/7, February 7, 2019, at 12:30 a.m.

11 MR. MONTELEONI: Now if you could zoom out,
12 Mr. Hamill.

13 Q. Does this text message include a number of images?

14 A. Yes.

15 MR. MONTELEONI: All right. Let's look at one of
16 them.

17 Mr. Hamill, could you please put up Government Exhibit
18 F109-A.

19 Q. Special Agent Coughlin, who do you recognize in this
20 photograph?

21 A. Robert Menendez is second from our left, and next to him,
22 his right, is Wael Hana.

23 Q. Directing your attention to --

24 THE COURT: It's not his right. As we look at it,
25 it's our right, is that correct?

O5tWmen2

Coughlin - Direct

1 THE WITNESS: Thank you. Yes.

2 BY MR. MONTELEONI:

3 Q. Directing your attention to the person on our left, next to
4 Menendez, do you recognize that individual in the photograph?

5 A. I've seen photos of all of them, but I would need to see a
6 photo again.

7 MR. MONTELEONI: Mr. Hamill, could you please put up
8 Government Exhibit 2A-22.

9 Q. Does that appear to be the individual standing next to
10 Menendez?

11 A. Yes. Yes. Thank you.

12 Q. All right. Now, directing your attention to the individual
13 on the other side of Mr. Hana, do you recognize that
14 individual?

15 A. Again, I know I've seen photos of all of these folks, but I
16 would need to see a photograph.

17 MR. MONTELEONI: All right. Mr. Hamill, could you
18 please put up Government Exhibit 8A-15, page 2.

19 MR. WEITZMAN: Objection, your Honor. He said he
20 can't identify the person. It's suggestive at this point.

21 THE COURT: I'll allow it. I'll allow it. He said
22 he's seen it before.

23 Go ahead. You may proceed.

24 MR. MONTELEONI: Yes. Thank you.

25 Mr. Hamill, if you could put up page 2 of Government

O5tWmen2

Coughlin - Direct

1 Exhibit -- thank you.

2 And can you please expand that photograph.

3 You can take all of the --

4 Q. Actually, does that appear to be the individual in the
5 photograph?

6 A. Yes. Thank you. That's Ahmed Helmy.

7 MR. MONTELEONI: All right. I'd like to take a look
8 at something that happens a few days after this text was sent.

9 Mr. Hamill, could you please go back to Government
10 Exhibit 1302 and put up page 37.

11 Q. Directing your attention to February 3, 2019, at 6:30 a.m.,
12 who sends a WhatsApp message to Hana?

13 A. 6:30 you said, right?

14 Q. Uh-huh.

15 A. Ahmed Abed El Karim.

16 MR. MONTELEONI: Mr. Hamill, could you please put up
17 Government Exhibit 1430, page 3.

18 And I'll read paragraph 22:

19 "The document marked for identification as Government
20 Exhibit 2A-23 is a true and accurate photograph of Abdel
21 Karim."

22 Mr. Richenthal, could you please put up Government
23 Exhibit 2A-23, up on the board.

24 Mr. Hamill, you can take us back to page 37 of
25 Government Exhibit 1302.

O5tWmen2

Coughlin - Direct

1 Q. So, directing your attention back to this first 6:30 a.m.
2 message, on February 3, 2019, could you please read the
3 translation of what Abdel Karim writes in his message?

4 A. "This is the letter, the proposed program and request to
5 set a time for the visit on February 5, 2019, 2/5, 2019."

6 MR. MONTELEONI: Let's look at the second message from
7 Abdel Karim to Hana at 6:30 a.m. Please read -- actually, it
8 cites Government Exhibit C107C.

9 Mr. Hamill, could please --

10 MR. WEITZMAN: Your Honor, I object. The name on the
11 chart is Ahmed Abed El Karim.

12 MR. MONTELEONI: I believe there was testimony about
13 the rendering of vowels in Arabic.

14 MR. WEITZMAN: I understand, but not with this -- not
15 through this witness and not with this name.

16 THE COURT: Just a moment.

17 Proceed.

18 MR. MONTELEONI: Thank you.

19 Let's look at what is listed as attached.

20 Mr. Hamill, could you please put up what's in evidence
21 as Government Exhibit C107C.

22 Q. Now, Special Agent Coughlin, directing your attention to
23 the letterhead, please read the logo in the top left.

24 A. U.S.D.A.

25 Q. And under -- now, down at the bottom, who is this letter

O5tWmen2

Coughlin - Direct

1 signed by?

2 A. Ali Abdi, minister counselor for agricultural affairs.

3 Q. Directing your attention to the address block, who is this
4 letter addressed to?

5 A. Dr. Ahmed Abdel Karim.

6 Q. By the way, does this letter list anyone being cc'd?

7 A. No, not on the portion that's visible here.

8 MR. MONTELEONI: Well, could you expand the whole page
9 of the letter, Mr. Hamill.

10 A. No, there's no cc.

11 Q. Does anything in this letter mention or address itself to
12 Wael Hana?

13 A. No.

14 Q. Please read the second sentence in this letter, starting
15 "we are writing you."

16 A. "We are writing you today with reference to your request to
17 audit slaughterhouses and Islamic centers in the United
18 States."

19 Q. Now, directing your attention to the next paragraph, could
20 you please read the first sentence?

21 A. "This letter serves as your official invitation to the
22 United States to conduct the audit."

23 Q. Directing your attention to the next paragraph, could you
24 please read the first sentence?

25 A. "Attached here for your review is a proposed itinerary for

O5tWmen2

Coughlin - Direct

1 the two teams."

2 MR. MONTELEONI: Now, Mr. Hamill, could you please
3 take us to page 2 of Government Exhibit C107C.

4 Q. Directing your attention to the center of the page at the
5 top, please read the words under United States Department of
6 Agriculture?

7 A. Yes. "Egypt beef audit."

8 Q. The next line, to the left, could you please read the words
9 after the words "tentative dates"?

10 A. "March 17 to March 28, 2019."

11 MR. MONTELEONI: Let's go back to the chart.

12 Mr. Hamill, could you please put back up Government
13 Exhibit 1302, page 37.

14 Q. Special Agent Coughlin, directing your attention to
15 February 5, 2019, at 7:10 a.m., could you please read the
16 translation of the first sentence that Hana sends to Abdel
17 Karim?

18 A. "Good morning. That's why we want them to, God willing,
19 arrange for us, including you and Dr. Muna, a meeting with the
20 minister of agriculture or his deputy."

21 Q. Please read the next sentence of the translation.

22 A. "I have a meeting in the Senate tomorrow."

23 Q. Where it says I have a meeting in the Senate tomorrow, what
24 day was this sent?

25 A. February 5.

O5tWmen2

Coughlin - Direct

1 Q. So what day would tomorrow be from that perspective?

2 A. February 6.

3 Q. Please read the rest of the translation of what Hana sent
4 to Abdel Karim at 7:10 a.m. on February 5.

5 A. "Afterwards I will insure all is squared away over here and
6 talk to you as son as I arrive at the office. As far as our
7 office is concerned, all is fine with them and with you, sir.
8 Nothing is needed at my end. The date of the visit is 3/17.
9 Best regards."

10 Q. Directing your attention to 10:36 a.m., please read the
11 translation of what Hana texts Abdel Karim.

12 A. "Call me, sir, when you have time."

13 Q. Directing your attention to 10:56 a.m., who is sends this
14 message to Abdel Karim?

15 A. Wael Hana.

16 Q. Is this message in English or a translation?

17 A. This message is in English.

18 Q. Could you please read this message?

19 A. "We have informed the ministry of your request and we'll
20 plan to include a meeting in the schedule. Please note that
21 officials will not be making a visit to your location.
22 Instead, they'll meet with you at one of the stops, either in
23 Washington, D.C. or Denver, to examine your application. At
24 the moment the delegation will be in the U.S. March 17 to 28.
25 We'll provide additional details in the coming days. Best."

05tWmen2

Coughlin - Direct

1 MR. MONTELEONI: Let's look ahead a few weeks.

2 Mr. Hamill, could you please put up Government Exhibit
3 1302, page 38.

4 Q. Directing your attention to March 14 at 5:58 a.m., who does
5 Bret Tate email, as reflected there?

6 A. Andy Aslanian.

7 Q. In this email, according to this chart, what company does
8 Aslanian identify himself as affiliated with?

9 A. IS EG Halal Certified Inc.

10 Q. Please read the quoted portion of the email.

11 A. "This email is to confirm your meeting with the Egyptian
12 audit team on Friday, March 29, at 3 p.m., at the Crystal City
13 Marriott in Arlington, Virginia."

14 MR. MONTELEONI: Mr. Hamill, could you please take us
15 to page 39.

16 Q. Directing your attention to March 21, 2019, at 12:04 p.m.,
17 please read the translation of the four WhatsApp messages that
18 Ahmed Essam sends to Hana starting at 12:04, in order, lines
19 504 through 507.

20 A. "Dr. Muna's approval has been issued. You will receive it
21 on the 27th. And the meeting with the U.S.D.A. is on the 29th.
22 OK?"

23 Q. Where Ahmed Essam writes the meeting with the U.S.D.A. is
24 on the 29th, how does that compare to the date that Bret Tate
25 gave Andy Aslanian as the date to meet with the audit team?

05tWmen2

Coughlin - Direct

1 A. It's the same.

2 Q. Is the Ahmed Essam referenced here the same Ahmed Essam
3 referenced elsewhere in the chart?

4 A. Yes, that's correct.

5 Q. A few lines down, directing your attention to 10:58 p.m. on
6 March 25, 2019, line 510, please read what Hana writes to
7 Helmy.

8 A. "Official visit are to Lebanon and Greek next month."

9 Q. And a few lines down, to line 514 at 11:01 p.m., please
10 read the translation of that message from Hana to Helmy?

11 A. "He is making an official visit, will be accompanied by
12 others from their side."

13 Q. Helmy's response, also at 11:01 p.m., here.

14 A. "OK. The lady will be very happy."

15 Q. How does Hana reply at 11:01 p.m.?

16 A. "Very."

17 Q. What does Hana write on the next line, line 517?

18 A. "Because I talked to him about meeting here in Cairo, and I
19 came to know the schedule, so please let me know, sir."

20 Q. Then what does he write in the next line?

21 A. "And I will arrange for a meeting."

22 MR. MONTELEONI: Let's go back a few weeks.

23 Could you please take us back to Government Exhibit
24 1302, page 38.

25 Q. Special Agent Coughlin, directing your attention to March

O5tWmen2

Coughlin - Direct

1 13, 2019, at 11:18 a.m., line 477, who does Nadine text?

2 A. She texts Robert Menendez.

3 Q. Can you please read the quoted text that this chart
4 reflects that Nadine sends to Menendez?

5 A. "Can you believe Will said he does not need me to make
6 appointments with you to go see you at your office and have
7 dinner with you? The man has gone crazy after everything I've
8 done for him." Five exclamation points.

9 Q. Next line, can you please read Menendez's response?

10 A. "He is crazy."

11 MR. MONTELEONI: Please take us down to page 39.

12 Q. Directing your attention to March 25, 2019, at 8:10 p.m.,
13 it's line 508, who texts Nadine then?

14 A. Howard Dorian.

15 MR. MONTELEONI: Mr. Hamill, could you please put up
16 Government Exhibit 1430, page 2.

17 I'll read paragraph 12:

18 "The document marked for identification as Government
19 Exhibit 2A-13 is a true and accurate photograph of Howard
20 Dorian."

21 Mr. Richenthal, can you please put up Government
22 Exhibit 2A-13 on the board.

23 And in the meantime, Mr. Hamill, could you please put
24 up what's in evidence as Government Exhibit B221-1.

25 Q. Special Agent Coughlin, directing your attention to the top

O5tWmen2

Coughlin - Direct

1 text -- expand that text -- how is Howard Dorian's name listed
2 in Nadine's phone contacts?

3 A. It says Howard Andy.

4 Q. Please read the top text from Howard Dorian to Nadine.

5 A. "Nadine, my apologies for not being able to spend more time
6 with you today. As soon as I have a chance to speak to Wael
7 and I will set something up with you so we can go over your
8 situation and get you squared away. You were looking beautiful
9 as always." Exclamation point.

10 MR. MONTELEONI: Mr. Hamill, can you please expand the
11 bottom text.

12 Q. Special Agent Coughlin, can you please read just the first
13 paragraph of the text from Nadine to Howard Dorian, just up
14 until kept every promise to Will?

15 A. "Thank you very much, Howard. Your text is priceless to
16 me. It has been a year of broken promises by Will to me and I
17 have given 1,000 percent of myself, my time and kept every
18 promise to Will."

19 Q. Where Nadine says it's been a year of broken promises by
20 Will to her, what's the month and year that Nadine writes that?

21 A. This is March 2019.

22 MR. MONTELEONI: Mr. Hamill, could you please put up
23 to the left Government Exhibit B105-B.

24 Q. Special Agent Coughlin, what was the month and year of the
25 first meeting between Menendez, Hana, Nadine Arslanian and

O5tWmen2

Coughlin - Direct

1 General Shawky?

2 A. March 2018.

3 Q. About how long was that before Nadine sent this text to
4 Howard Dorian?

5 A. A little -- a little over a year.

6 MR. MONTELEONI: You can take down Government Exhibit
7 B105-B. Thank you, Mr. Hamill.

8 Q. Could you please read the next paragraph of this text,
9 starting very honestly?

10 A. "Very honestly I felt repeatedly used. I am willing to
11 give 100 percent and make sure this goes sky-high on condition
12 that I start getting my 2,500 per week and health benefits and
13 Will keeps his promises."

14 MR. MONTELEONI: Mr. Hamill, could you please take us
15 to page 2 of Government Exhibit B221-1. Expand just the top
16 half of this top text from Howard Dorian.

17 Q. Directing your attention to the fifth line down, Special
18 Agent Coughlin, starting what I can tell you is I know he's
19 working extremely hard, please read the two sentences from
20 there to here in the States?

21 A. "What I can tell you is I know he's working extremely hard
22 on this project to make sure that it goes the way all of us
23 would like. He's attending more meetings this week to firm up
24 what needs to be done here in the States."

25 Q. What's the date that this message was sent saying that?

O5tWmen2

Coughlin - Direct

1 A. March 26, 2019.

2 Q. And how far was that before the March 29 date you
3 previously testified that Ahmed Essam texted Hana the U.S.D.A.
4 meeting would be?

5 A. That would be three days before.

6 Q. Please read the next sentence in the top text starting next
7 week I believe.

8 A. "Next week I believe he's going to Cairo for about a week
9 to put everything in place on that end."

10 Q. Please read the next two sentences from I know that no one
11 down through all benefit greatly?

12 A. "I know that no one wants this to work out more than he
13 does. He has extremely high expectations for this project and
14 believes that we will all benefit greatly.

15 Q. So now, about three lines down from that highlighting,
16 starting at once I know that everything is in place, can you
17 please read from once I know that everything is in place to
18 May.

19 A. "Once I know that everything is in place and he tells me
20 exactly what your role in the new corporation is going to be, I
21 will get your contract prepared. Hopefully we can all start
22 working and earning some money in May."

23 MR. MONTELEONI: Mr. Hamill, can you please expand the
24 bottom message on page 2 of Government Exhibit B221-1.

25 Q. Special Agent Coughlin, could you please read the

O5tWmen2

Coughlin - Direct

1 second-to-last sentence of that text, starting so I should be
2 in a position?

3 A. "So I should be in a position to meet with you on Monday as
4 well as with Wael so we can talk about your job description and
5 start getting a contract together for you."

6 MR. MONTELEONI: Let's return to the chart.

7 Mr. Hamill, could you please put up Government Exhibit
8 1302, page 41.

9 Q. Special Agent Coughlin, directing your attention to line
10 527, March 27, 2019, at 11:56 a.m., who does Nadine Arslanian
11 leave a voice message for?

12 A. She leaves a voice mail for Robert Menendez.

13 MR. MONTELEONI: I'd like to play that message, and
14 with the Court's permission, I'd like to again put up
15 Government Exhibit A105-D-TR to read to the jury.

16 THE COURT: Yes.

17 You'll remember the instructions from the other day,
18 ladies and gentlemen.

19 The record should reflect the jurors are nodding
20 affirmatively, so I won't repeat the instruction.

21 MR. MONTELEONI: Mr. Hamill, could you please play
22 Government Exhibit A105-D.

23 (Media played)

24 MR. MONTELEONI: Mr. Hamill, could you please put back
25 up Government Exhibit 1302 and take us to page 41.

O5tWmen2

Coughlin - Direct

1 And can you please scroll back, actually, to show, to
2 put that 11:56 a.m. entry on page 41 at the bottom of the page,
3 and go back up.

4 All right. You can stop there.

5 Q. So, Special Agent Coughlin, how does the March 27, 2019,
6 date of that voice mail that we just listened to compare to the
7 date of the text between Nadine and Howard Dorian that we just
8 read?

9 A. It's the next day.

10 MR. MONTELEONI: You can scroll back down, Mr. Hamill.

11 Thank you.

12 Q. So, now, on March 28 of 2019, line 528, how long is that
13 after the voice message we just listened to?

14 A. Then that's the subsequent day after that message.

15 Q. Who leaves a voice message for Nadine on March 28, 2019?

16 A. Wael Hana.

17 MR. MONTELEONI: I'd like to play that message. With
18 the Court's permission, I'd like to put up Government Exhibit
19 B121-A-TR for the jury.

20 THE COURT: Yes.

21 Same instruction, ladies and gentlemen. It's the
22 audiotape that's the evidence. The transcript is simply an
23 aid. If what you see on the transcript is different from what
24 you hear on the tape, the tape is what controls your
25 conclusion.

O5tWmen2

Coughlin - Direct

1 Proceed.

2 MR. MONTELEONI: Thank you.

3 Mr. Hamill, could you please play Government Exhibit
4 B121-A.

5 (Media played)

6 MR. MONTELEONI: Let's go a few days later.

7 Could you please take us, Mr. Hamill, to page 41 of
8 Government Exhibit 1302.

9 Q. Directing your attention to line 533, on April 1, 2019, at
10 9:19 a.m. -- first of all, how long is April 1, 2019, after the
11 date of the voice message that we've just listened to?

12 MR. MONTELEONI: Mr. Hamill, could you please expand
13 the whole page.

14 A. Three days, I believe.

15 Q. Could you please read what Nadine texts Howard Dorian on
16 April 1, 2019, at 9:19 a.m.?

17 A. "Good morning, Howard. I am available. I am once again
18 quite disappointed. Wael asked me for a very important dinner
19 and meeting in Washington for next week, Monday, which I agreed
20 to, among other things, and he still has not delivered on any
21 of his promises. I have been waiting since 7 o'clock. I even
22 text him and have not heard back from him."

23 Q. Directing your attention to the next line, line 534, can
24 you please read what Nadine sends to Hana by WhatsApp at 9:36
25 a.m. that day?

O5tWmen2

Coughlin - Direct

1 A. "You did not have one minute to text me on the way to the
2 airport? It's Monday. You promised me the guy would come for
3 the carpet. But I'm sure you'll be able to answer the phone
4 about next Monday's meetings and dinner."

5 Q. Directing your attention to the next line, who does Howard
6 Dorian text at 9:36 a.m.?

7 A. Nader Moussa.

8 Q. Please read that text.

9 A. "Good morning. It's Howard. Please give me a call when
10 you get this. It's important."

11 Q. Turning to page 42, directing your attention to the next
12 line, who does Nadine text at 9:44 a.m.?

13 A. Robert Menendez.

14 Q. Please read what Nadine texts Robert Menendez at 9:44.

15 A. "I have been so upset all morning. Will left for Egypt
16 yesterday supposedly and now thinks he's king of the world and
17 has both countries wrapped around his pinky. I really hope
18 they replace him."

19 Q. Where she says I really hope they replace him, does Nadine
20 say who they are?

21 A. No.

22 Q. In the later messages in this chain that day that you
23 reviewed, does Menendez ask her what she means when she says I
24 really hope they replace him?

25 A. No.

O5tWmen2

Coughlin - Direct

1 Q. Now, could you please take us to line -- directing your
2 attention, rather, to line 537, please read what Nadine texts
3 to Howard Dorian at 9:47 a.m. that same day.

4 A. "I'm sorry, Howard, for taking the hurt out on the phone
5 call. Only because of you I said I would give it another
6 chance. I really thought by doing the right thing and giving
7 chances that I will no longer be stabbed in the back and used,
8 but once again I got used to set up meetings and dinners for
9 next week. I really thought it was going to change."

10 Q. Directing your attention to 11:06 a.m. on April 1, please
11 read what Nadine texts Hana.

12 A. "I have been waiting since 7 a.m. this morning for you and
13 Nader about my carpet, which you promised last week that it
14 would be this Monday, and I thought you were going to drive me
15 to Edison today. I have not heard one word from you."

16 Q. Directing your attention to 12:55 p.m., what does Menendez
17 text to Nadine?

18 A. "Did they show up?"

19 Q. Directing your attention to the next line, could you please
20 read Nadine's response to Menendez?

21 A. "No. Nader just called me. He said he will try to bring
22 the guys today but nothing from Will. Supposedly Will left for
23 Egypt last night and will be back Wednesday. I don't care
24 about Will. He is a lying ass hole."

25 Q. Directing your attention to 1:52 p.m., can you please read

05tWmen2

Coughlin - Direct

1 what Nadine texts Howard Dorian?

2 A. "Nader called me. He said Wael will be back on Wednesday
3 and he will see what he can do about the carpet this afternoon.
4 Thank you very much, Howard. One thing is for sure at least
5 both of us have each other's back, which is much more than I
6 can say for most people around us."

7 Q. When you read thank you very much, is it thank you very
8 much or thank you very, very much?

9 A. Thank you very, very much, Howard.

10 Q. Directing your attention to the next line, 4:20 p.m. on
11 that same day, please read both sentences of what Howard Dorian
12 texts Nader Moussa.

13 A. "Nader, I just heard from Nadine. Thank you for calling
14 her. I'm sure it will go a long way to putting out the fire at
15 the moment. It would be fabulous if you can find some way to
16 get her carpeting done."

17 Q. Directing your attention to the last four lines of the
18 text, starting with it is extremely important, please read
19 those lines.

20 A. "It is extremely important that we keep Nadine happy. She
21 wants to be helpful and needs to be reassured that she is going
22 to be taken care of Wael and the new company. Please keep in
23 touch with me and let me know if you hear from Wael."

24 Q. Look at the next day. Directing your attention to the next
25 line, at 10:01 a.m., please read what Howard Dorian texts Nader

O5tWmen2

Coughlin - Direct

1 Moussa.

2 A. "Good morning, Nader. It's Howard. Please give me a call
3 when you get a chance sometime today. I want to make sure that
4 we keep Nadine as happy as we can. I'll explain to you when I
5 speak to you. Thanks."

6 Q. Directing your attention to the next line, can you please
7 read Moussa's response to Dorian?

8 A. "Sorry. I can't talk right now."

9 Q. Directing your attention to the next line, could you please
10 read Dorian's reply to Moussa?

11 A. "Nader, it's Howard. I know that you're very busy with the
12 Egyptian plans, but it's really important that we make sure
13 Nadine stays happy because if she's not she's going to cancel
14 the meetings that Wael has set up with Senator Menendez for
15 Monday and Tuesday and we should not let that happen so please
16 give me a call."

17 THE COURT: Why don't you find a logical point to
18 break, sir. I want to give the jury its late morning break.

19 MR. MONTELEONI: All right.

20 THE COURT: Go ahead.

21 MR. MONTELEONI: Four or five more questions.

22 Q. Directing your attention to the next line, please read what
23 Nadine texts to Menendez at 6:24 p.m. on that day, April 2.

24 A. "Maxie *beaucoup mon amour*. I just picked up your car."

25 Q. Turning to page 43, can you please read Menendez's response

O5tWmen2

Coughlin - Direct

1 to Nadine at 6:25 p.m.?

2 A. "OK. That was late in the day."

3 Q. Now. Can you please read Nadine's reply to Menendez at
4 6:27 p.m., line 548?

5 A. "Nader decided to stain the stairs and put in the rail rod
6 to go up the stairs so I had to wait for him to finish
7 staining. It looks so clean and so new."

8 Q. Please read what Nadine wrote to Menendez at 6:28 p.m.

9 A. "He asked me if I wanted him to do it today or Friday. I
10 said today so I get one thing out of the way. He also painted
11 the garage door inside of the wall going upstairs from the
12 garage."

13 Q. And about how long was this after the message that you just
14 read from Howard Dorian to Nader Moussa? That's now near the
15 top of your screen.

16 A. Yeah. It was a little less than four hours.

17 Q. By the way, have you seen documents where Menendez and
18 Nadine Menendez were discussing Nader possibly doing other home
19 improvement for them at other times?

20 A. Yes, his name's been mentioned before. Yes.

21 MR. MONTELEONI: This is a great time for a break.

22 THE COURT: All right.

23 Ladies and gentlemen, let's take a late morning break.

24 What I'd like to do -- let's take ten minutes. What I'd like
25 to do is to run the testimony until about 1:20, if that's OK

O5tWmen2

Coughlin - Direct

1 with you, because we had a late start. I want to get as much
2 testimony in so that we can keep moving forward and keep this
3 trial on schedule. Thank you.

4 Ten minutes.

5 (Continued on next page)

O5tWmen2

Coughlin - Direct

1 (Jury not present)

2 THE COURT: You may step down, sir.

3 You may be seated in the courtroom.

4 Counsel, we have a pending motion for reconsideration
5 of my order, dated May 24. I believe it's ECF-420. I'm
6 adhering to my original order; that is, to the order dated May
7 24. I don't know whether I should characterize it as granting
8 reconsideration and upon reconsideration adhering to the order
9 or simply denying reconsideration, but the bottom line is I'm
10 adhering to the 420 order. I know the government disagrees
11 with it, but I believe it's the appropriate ruling under the
12 law.

13 Thank you.

14 (Recess)

15 (Continued on next page)

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25

O5tWmen2

Coughlin - Direct

1 (Jury present)

2 THE COURT: You may be seated, ladies and gentlemen.

3 You may be seated in the courtroom.

4 The defendants and all lawyers are present.

5 Proceed.

6 MR. MONTELEONI: Thank you, your Honor.

7 Mr. Hamill, could you please take us back to page 42
8 of Government Exhibit 1302.

9 And now take us to page 43.

10 Let's look a few days later, after the exchange that
11 we were just reviewing before the break.

12 Q. Directing your attention to line 550, 11:49 a.m. on April
13 5, 2019, could you please read the translation of what Hana
14 writes to Helmy?

15 A. "Good morning. There is a change about Monday's meeting.
16 I will have dinner with him tomorrow."

17 Q. Directing your attention a few lines down, to the first
18 12:56 p.m. text on April 5, 2019, can you please read what
19 Nadine texts to Hana?

20 A. "I will call you in 45 minutes. If you have the times for
21 Monday's meetings and dinner, please text me and who there
22 with."

23 Q. Directing your attention to line 565, 10:54 a.m. on that
24 day -- on April 6, rather, could you please read what Hana
25 wrote to Helmy using WhatsApp?

O5tWmen2

Coughlin - Direct

1 A. "Good morning. The guy wants to know the time, because he
2 wants me to attend the minister of foreign affairs' secretary
3 of state session."

4 Q. Directing your attention to 1:09 p.m., the next line,
5 please read what Hana wrote to Helmy.

6 A. "The schedule is open Monday and Tuesday, and he wants to
7 know tomorrow before 12."

8 MR. MONTELEONI: Let's go to the next page.

9 Could you please take us, Mr. Hamill, to page 44 of
10 Government Exhibit 1302.

11 Q. Special Agent Coughlin, directing your attention to 1:11
12 p.m. on April 7, 2019, please read the translation of what Hana
13 writes to Helmy on WhatsApp.

14 A. "Good morning. Any news about the meeting?"

15 Q. Please read just the first sentence of Helmy's response at
16 2:17 p.m.

17 A. "The schedule is not final yet."

18 MR. MONTELEONI: Now, let's look at the next day,
19 April 8, 2019.

20 Q. Directing your attention to the first message, sent at 7:10
21 a.m., could you please read what Nadine texts to Menendez at
22 7:10 a.m. on April 8?

23 A. "His meeting with Major General Abbas Kamel, head of the
24 general intelligence service. First then he will invite him
25 and other senators to visit Egypt and meet the president. The

O5tWmen2

Coughlin - Direct

1 meeting, it's about the relations or how to maintain a strong
2 relation."

3 Q. Directing your attention to the next line, what does Nadine
4 text to Menendez?

5 A. "The above is what Will sent me."

6 MR. MONTELEONI: Mr. Hamill, could you please put up
7 Government Exhibit 1430, page 3.

8 I'll now read paragraph 25:

9 "The document marked for identification as Government
10 Exhibit 2A-26 is a true and accurate photograph of Abbas
11 Kamel."

12 Mr. Richenthal, could you please put up -- oh, I'm so
13 sorry.

14 Ms. Pomerantz, would you mind putting up Government
15 Exhibit 2A-26 on the board.

16 Mr. Hamill, could you please take us back to page 41
17 of Government Exhibit 1302. Directing -- sorry. And could we
18 go to page 44.

19 Now 45.

20 Q. All right. Now directing your attention to line 582, at
21 1:24 p.m. on April 8 of 2019, what does Nadine text to
22 Menendez?

23 A. "The plane has not landed in D.C. yet. He is supposedly
24 coming from Guyana."

25 Q. Please read Menendez's response at 1:24 p.m.

O5tWmen2

Coughlin - Direct

1 A. "Who?" Three question marks.

2 Q. Moving down to line 585, please read Nadine's second reply
3 at 1:25 p.m.

4 A. "Sisi. Sisi and Abbas Kamel."

5 Q. By the way, can you remind the jury, as of 2019, what was
6 the last name of the president of Egypt?

7 A. Sisi.

8 Q. Directing your attention to line 589, could you please read
9 what Nadine texts to Menendez at 589?

10 A. "*Mon amour*, if you refer 8 or 8:30 dinner you let me know
11 the time. He just called again. I hate not having a concrete
12 answer for you." Looks like a crying face emoji.

13 Q. Directing your attention to 2:24 p.m., the next line down,
14 please read Menendez's reply.

15 A. "7:30 Morton's. This is last time I will do this meeting."

16 MR. MONTELEONI: Now let's look a few hours later.

17 Q. Directing your attention to 4:25 p.m. on line 593, please
18 read the translation of what Hana sends to Helmy on WhatsApp.

19 A. "Hey boss, should I go ahead and cancel?"

20 Q. Directing your attention to the next line, please read
21 Helmy's reply at 4:30?

22 A. "No. Wait for a little bit."

23 Q. Going down to line 595, please read what Hana writes at
24 4:31 p.m.

25 A. "I swear he called us four times, and I don't know what to

O5tWmen2

Coughlin - Direct

1 tell him."

2 MR. MONTELEONI: Mr. Hamill, could you please take us
3 down to page 46 of Government Exhibit 1302.

4 Q. I'm not going to ask you to read all the messages between
5 Hana and Helmy over the next few hours, but directing your
6 attention to the rows 607 through 610, starting at 8 p.m., can
7 you please read the translation of those messages that Hana
8 sends to Helmy in those rows by WhatsApp in order?

9 A. "He doesn't have any time except for 6 o'clock tomorrow.

10 "Or 4 o'clock at his office.

11 "And by the way, he is very upset.

12 "He says who do they think I am."

13 Q. Directing your attention to row 611, the first listed
14 message at 8:54 p.m. on April 8, what does Helmy write to Hana
15 on WhatsApp?

16 A. "We know exactly who he is and we know his value and high
17 status. The problem is that the visit is very busy and our
18 director is tied to the big boss's schedule."

19 Q. Directing your attention to the first listed message at
20 8:55 p.m., which is row 615, what does Helmy write to Hana by
21 WhatsApp?

22 A. "OK. Cancel all."

23 MR. MONTELEONI: So, you testified earlier about some
24 messages regarding an Egyptian beef audit. I'd like to return
25 to that and start by looking back a day or two.

O5tWmen2

Coughlin - Direct

1 Mr. Hamill, please take us to page 44, Government
2 Exhibit 1302.

3 Q. Special Agent Coughlin, directing your attention to the top
4 line on line 569 on April 6, 2019, at 12:28 p.m., what type of
5 document does Dr. Abdel Karim send to Hana?

6 A. He sends a Microsoft Word document.

7 MR. MONTELEONI: Let's look at the document.

8 Mr. Hamill, can you please first pull up Government
9 Exhibit C107-A and publish the first page.

10 Mr. Hamill, can you scroll down until you reach the
11 end of the document.

12 Is that the entire document?

13 All right. So, this document's largely in Arabic, so
14 let's look at the translation.

15 Mr. Hamill, could you please publish Government
16 Exhibit C107-AT. And you can take down C107-A at this point,
17 Mr. Hamill.

18 Thank you.

19 Q. Special Agent Coughlin, can you please read the bold text
20 about halfway down the page on the left under pages, starting
21 report on?

22 A. "Report on Islamic centers that supervise slaughter."

23 Q. Please read the first numbered heading.

24 A. "Halal transactions of Omaha."

25 Q. All right. And directing your attention to the bolded and

O5tWmen2

Coughlin - Direct

1 underlined text at the bottom of the halal transactions of
2 Omaha section, please read the first line of that bolded and
3 underlined text just up to products.

4 A. "Dealing with the Islamic center is suspended due to
5 noncompliance of products."

6 Q. Directing your attention to the next numbered heading,
7 please read that heading.

8 A. "Islamic Society of California."

9 MR. MONTELEONI: Mr. Hamill, could you please scroll
10 down.

11 Q. And then directing your attention to the bolded and
12 underlined lines under the Islamic Society of California
13 heading, can you please just read the first of those bolded and
14 underlined lines.

15 A. "Therefore, we reject the Islamic center's halal
16 slaughter."

17 Q. Directing your attention to the next numbered heading,
18 please read that heading line.

19 A. "ISA Center."

20 Q. And directing your attention under that heading, could you
21 please read the first bolded line?

22 A. "Therefore, we reject the Islamic center's halal
23 slaughter."

24 Q. Directing your attention to the next numbered heading,
25 could you please read that?

O5tWmen2

Coughlin - Direct

1 A. "Amana Halal of NY."

2 Q. Please read the bolded and underlined first line under that
3 heading.

4 A. "Therefore, we reject the Islamic center's halal
5 slaughter."

6 MR. MONTELEONI: Mr. Hamill, could you please take us
7 to page 3 of Government Exhibit C107-A2.

8 Q. Special Agent Coughlin, we'll come back to the heading
9 starting 5, but for now directing your attention to the bottom
10 of the page to the bolded section reading 6, Halalco, please
11 read the first bolded line, starting therefore, under 6,
12 Halalco.

13 A. "Therefore, we reject the Islamic center's halal
14 slaughter."

15 MR. MONTELEONI: Take us to page 4, Government Exhibit
16 C107-AT.

17 Q. Directing your attention under the heading reading 7,
18 Islamic Society of Washington area, could you please read the
19 first bolded sentence from therefore to slaughter?

20 A. "Therefore, we reject the Islamic center's halal
21 slaughter."

22 MR. MONTELEONI: Now, Mr. Hamill, could you please
23 take us back to page 3.

24 Q. Directing your attention to --

25 MR. MONTELEONI: Oh, sorry, to the next page.

O5tWmen2

Coughlin - Direct

1 Thank you.

2 Q. Directing your attention to the numbered heading reading 5,
3 we met with the delegation representing the Islamic center IS
4 EG, can you please read the nonbolded text under that heading?

5 A. "The procedures they follow in halal slaughter were
6 discussed. The representatives of the center stated that it is
7 a new center with no precedent for work and that it is ready to
8 provide all the requirements of the Egyptian side in the
9 slaughter process and to implement all the conditions related
10 thereto."

11 Q. Can you please read the first two sentences of the bolded
12 text under that?

13 A. "Therefore, it is permissible to accept the center under
14 the aforementioned conditions, which will be handed to the
15 director in charge of the Islamic center to be followed to
16 achieve Shari'a law slaughtering standards of meat exported to
17 the Arab Republic of Egypt. We have provided the center with a
18 model for slaughter that meets the Egyptian requirements for
19 Islamic slaughter according to technical specifications."

20 Q. Could you please read the next and the last sentence of
21 this bolded heading?

22 A. "Evaluation was conducted by Dr. Ahmad Abd Al-Karim Badie."

23 Q. By the way, in how many of each of these seven sections
24 does it say that Dr. Ahmad Abd Al-Karim Badie conducted either
25 alone or with someone else?

O5tWmen2

Coughlin - Direct

1 A. I believe it was all.

2 MR. MONTELEONI: Mr. Hamill, could you please put back
3 up Government Exhibit 1302 and publish page 45.

4 All right. Actually, can we go back to page 44 for a
5 moment, Mr. Hamill.

6 Thank you.

7 Q. Can you please note the date that Dr. Ahmad Abd Al-Karim
8 texts this document to Hana using WhatsApp?

9 A. Yes. That's April 7, 2019.

10 MR. MONTELEONI: Now can we go back to page 45.

11 Q. And looking at line 588, directing your attention to April
12 8, 2019, at 1:34 p.m., who does Nadine Arslanian text?

13 A. Robert Menendez.

14 MR. MONTELEONI: Let's look at the text that she sent
15 to Menendez.

16 Mr. Hamill, could you please publish Government
17 Exhibit A101-27 and go to page 7.

18 Q. All right. Special Agent Coughlin, directing your
19 attention below the text you read a few minutes ago starting
20 with do you have a preference between Four Seasons or Morton's,
21 and on the middle of the page --

22 MR. MONTELEONI: Mr. Hamill, could you expand the
23 middle of the page.

24 Q. -- could you please read that text?

25 A. "Seems like halal went through. It might be a fantastic

O5tWmen2

Coughlin - Direct

1 2019 all the way around."

2 Q. When this text was sent, about how long is that after Hana
3 received the document that we just looked at regarding the
4 Islamic centers for halal slaughter?

5 A. It's the next day.

6 Q. From looking at later messages in this chain, when Menendez
7 next responds to Nadine, does he ask what she means when she
8 says seems like halal went through?

9 A. No, he does not.

10 Q. Does he ask what she means when she says it might be a
11 fantastic 2019 all the way around?

12 A. No.

13 MR. MONTELEONI: Let's see what happens next.

14 Mr. Hamill, can you please publish Government Exhibit
15 1302, page 46.

16 Q. Directing your attention to line 624, on April 11, 2019, at
17 1:01 p.m., who does Ali Abdi email?

18 A. Multiple U.S.D.A. officials, including Bret -- or Bret Tate
19 is cc'd.

20 Q. Please read the quoted text from this email.

21 A. "We're hearing that the leadership of the audit team
22 provided recommendations to the minister of agriculture that
23 were unfavorable with respect to U.S. halal certifiers."

24 Q. When does Ali Abdi send this email in comparison to when
25 Dr. Abdel Karim sent that report on Islamic centers we looked

05tWmen2

Coughlin - Direct

1 at?

2 A. This is four days later.

3 Q. When does Ali Abdi send this email in connection to when
4 Nadine texts Menendez in that text we just looked at?

5 A. This is three days later.

6 Q. Directing your attention to the next line, on April 17, at
7 1:21 p.m., who is the sender?

8 A. Sender is Wael Hana.

9 Q. What's the recipient listed as?

10 A. HH HH.

11 Q. Why is the recipient listed as HH HH?

12 A. Because the recipient was not identified, and that's the
13 actual contact name.

14 Q. Is HH HH the display name in the messages that you looked
15 at?

16 A. Yes, exactly.

17 Q. Did you see documents that informed you what the name of HH
18 HH was?

19 A. No.

20 MR. MONTELEONI: So let's look at these messages.

21 Mr. Hamill, could you please publish what's in
22 evidence as Government Exhibit C104-7. Expand the bottom half
23 of the page.

24 Q. Special Agent Coughlin, directing your attention to the
25 green bubble, what's the display name of the WhatsApp user

O5tWmen2

Coughlin - Direct

1 that's sending those messages?

2 A. It says Will Hana.

3 Q. Directing your attention to the blue bubble, is that the HH
4 HH display name that you just testified about?

5 A. Yes, that's correct.

6 Q. So, could you please read the messages sent by Hana
7 starting I will send you email?

8 A. "I will send you email to look at and send it to Mona."

9 Q. Before we move off these messages, could you please note
10 the date?

11 A. Yes, 4/17, 2019.

12 MR. MONTELEONI: This message references an email.
13 Mr. Hamill, could you please publish what's in evidence as
14 Government Exhibit C417.

15 Q. Special Agent Coughlin, what kind of document is this?

16 A. This is an email.

17 Q. And directing your attention to the sent line, could you
18 please read the date?

19 A. Yes. Wednesday, April 17, 2019.

20 Q. How does that date compare to the date that Hana said he
21 would send the HH HH WhatsApp user an email?

22 A. It's the same day.

23 Q. Please read the from line.

24 A. W. Hana, w.hana@loundeseg.com.

25 Q. Please read the to line.

O5tWmen2

Coughlin - Direct

1 A. HH HH, hhhhhh360360@gmail.com.

2 Q. Please read the first two one-sentence paragraphs in the
3 body from please consider to as follows.

4 A. "Please consider this email as a point-by-point analysis of
5 the letter sent to Dr. Mehrez by Ali Abdi.

6 "May I suggest that the response to the letter be as
7 follows."

8 Q. All right. I'm not going to ask you to read the whole
9 document, but directing your attention to the paragraph
10 starting as you may recall, two paragraphs down from this
11 highlighted portion, in the middle of the paragraph, starting
12 it was made very clear, please read from it was made very clear
13 through the end of that paragraph.

14 A. "It was made very clear to us that the U.S.D.A. would not
15 be responsible to pass on the merits of whether or not any
16 products were halal compliant. It is the sole responsibility
17 of the government of Egypt to determine if the products being
18 imported are in compliance with halal laws, customs and
19 procedures. Only the government of Egypt can make that
20 determination."

21 Q. Directing your attention to the next paragraph --

22 MR. MONTELEONI: You could take this down, Mr. Hamill.

23 Thank you.

24 Q. -- in the middle of that paragraph, could you please read
25 the sentence that starts the personnel of the company, about

O5tWmen2

Coughlin - Direct

1 five lines down.

2 A. "The personnel of the company that we are certifying are
3 well versed in all aspects of halal law, customs and
4 procedures."

5 MR. MONTELEONI: You just read at the top of the email
6 that it was a point-by-point analysis of the letter sent to
7 Dr. Mehrez by Ali Abdi.

8 Let's go back to the timeline for a moment,
9 Mr. Hamill, and please put back up Government Exhibit 1302,
10 page 47.

11 Q. Directing your attention to line 628, what type of document
12 does Hana send to HH HH on that day?

13 A. He sends an image or a photo.

14 MR. MONTELEONI: Mr. Hamill, could you please briefly
15 publish what's in evidence as Government Exhibit C104-B.

16 Q. Is this the photo that he texts?

17 A. That's correct, yes.

18 Q. I'm not going to ask you about the contents of this
19 document, which the jury's already seen, but directing your
20 attention to the upper right corner, what's the date?

21 A. April 17, 2019.

22 Q. So, is the April 17, 2019, date of this letter before or
23 after the date which Dr. Abdel Karim sent Hana that Word
24 document we were looking at earlier about the Islamic centers?

25 A. This letter is after the Word document.

O5tWmen2

Coughlin - Direct

1 Q. And directing your attention to the cc line of the letter,
2 is Wael Hana listed in this cc line?

3 A. No.

4 MR. MONTELEONI: Let's look a few days later.

5 Mr. Hamill, please publish what's in evidence as
6 Government Exhibit 8B-7.

7 You know what? Let's move off, past this one. Let's
8 go back to the timeline instead.

9 Mr. Hamill, please publish page 47 of Government
10 Exhibit 1302.

11 Q. Directing your attention to line 630, April 25, 2019, at
12 12:33 p.m., could you please read the description of what
13 Charles Bertsch emails to Ted McKinney and multiple other
14 U.S.D.A. personnel?

15 A. It's an email. "Subject TFAA alert. Egypt delists most
16 U.S. halal certifiers leaving only one that is not in the
17 business. Body: Describing delisted of other certifiers and
18 approval of IS EG Halal."

19 MR. MONTELEONI: Let's look at something else that was
20 happening around this time.

21 Could you please take us to page 48 of Government
22 Exhibit 1302.

23 Q. And directing your attention to line 631, please read what
24 Nadine texts to Hana on this line.

25 A. "I got off the phone with him about an hour ago. I'm sorry

O5tWmen2

Coughlin - Direct

1 to text you late but he left all of tomorrow free so he can
2 help me in the house because he thought the carpet would
3 already down. I text Nader twice today, no answer. Once
4 yesterday, no answer. He keeps telling me he will get back to
5 me and never does. I, I asked him if he could at least drop
6 the carpet off. Could you please let me know tomorrow what is
7 going on with it because now he's really, really pissed that he
8 left the whole day free to help me move things from the garage
9 and nothing can be done. I arranged for dinner tomorrow."

10 Q. Directing your attention to line 637, on April 30, 2019, at
11 11:19 a.m., can you please read the description of what Ali
12 Abdi emails to multiple U.S.D.A. officials.

13 A. "Attaching letter from U.S. *chargé d'affaires* Thomas
14 Goldberger to minister of agriculture expressing concern at
15 termination of halal certifiers. Letter states 'to ensure
16 markets are not disrupted by this action, we respectfully
17 request that existing certifiers be allowed to continue their
18 work while this matter is resolved.'"

19 Q. Directing your attention to May 2, 2019, 7:18 p.m., can you
20 please read the description of what Ted McKinney emails to
21 Egyptian ambassador Yasser Reda?

22 A. "Requesting that Egypt continue to allow delisted
23 certifiers and not limit eligible certifiers to one entity."

24 MR. MONTELEONI: Mr. Hamill, could you please take us
25 to page 49.

O5tWmen2

Coughlin - Direct

1 Q. Directing your attention to line 639, on May 3, 2019, at
2 10:36 a.m., what does HH HH send to Hana through WhatsApp?

3 A. It's a picture.

4 MR. MONTELEONI: Let's look at the document that's
5 pictured.

6 Mr. Hamill, can you please put up Government Exhibit
7 C104-C.

8 Q. Special Agent Coughlin, just for the record, is this an
9 electronic document or a photograph of a physical document?

10 A. It's a photograph of a physical document.

11 Q. Directing your attention to the top right, are you able to
12 read the date up there?

13 A. Yes. May 2, 2019.

14 Q. And between the words "dear IS EG" -- actually, can you
15 just read from dear IS EG Halal Certifier Inc. down to thanks
16 for your collaboration?

17 A. Sure. "Dear IS EG Halal Certifier Inc., we would like to
18 inform you that general organization for veterinary services,
19 (GOVS), ministry of agriculture and land reclamation, Arab
20 Republic of Egypt approved your organization (IS EG Halal
21 Certifier Inc.) as halal certifier for beef meet, liver, kidney
22 and heart for five years exported from U.S.A. to Egypt. Thanks
23 for your collaboration."

24 Q. Who is this signed by?

25 A. Dr. Ahmed Abd El Karim Badie.

O5tWmen2

Coughlin - Direct

1 MR. MONTELEONI: Return to the chart.

2 Mr. Hamill, please put up Government Exhibit 1302,
3 page 49.

4 Q. Directing your attention to line 640, May 10, 2019, 5:29
5 p.m., can you please read the, just the description of the
6 email on that line?

7 A. "Attaching copy of letter from Ted McKinney to deputy
8 minister of agriculture Mona Mehrez. Letter begins: 'I am
9 deeply concerned that Egypt' -- quote, 'I am deeply concerned
10 that the Egyptian ministry of agriculture has suspended or
11 terminated all seven of the existing U.S.-based halal
12 certifiers that were authorized to certify U.S. beef shipments
13 to Egypt and has instead appointed a new organization to
14 provide that certification.' Letter states: 'I respectfully
15 request that you take measures to prevent any disruption in our
16 halal industry. Effective immediately please reinstate the
17 seven U.S. halal certifiers.'"

18 Q. Directing your attention to May 13, 2019, at 3:29 p.m.,
19 line 641, who sends the email listed there?

20 A. Ali Abdi.

21 MR. MONTELEONI: Let's remind the jury which email
22 this is.

23 Mr. Hamill, can you please put up what's in evidence
24 as Government Exhibit 8B-21.

25 Q. Special Agent Coughlin, I'm not going to ask you about the

O5tWmen2

Coughlin - Direct

1 contents of this email, but could you please just note the date
2 of this email?

3 A. Yeah. It was sent on Monday, May 13, 2019.

4 MR. MONTELEONI: Let's see what happened after May 13.

5 Mr. Hamill, please put back Government Exhibit 1302,
6 page 49.

7 Q. Special Agent Coughlin, directing your attention to line
8 643, May 15, 2019, 6:05 a.m., can you please read the quoted
9 language that Nadine texted to Menendez?

10 A. "I know you have an early morning but whenever you get a
11 chance could you please give me a call. I would like to give
12 Will a definite answer about next week before he gives Fred all
13 the credit."

14 Q. Directing your attention to the next line, 2:52 p.m. the
15 next day, please read what Menendez texted to Nadine.

16 A. "Tell Will Tuesday at 12:30 p.m. in my office."

17 MR. MONTELEONI: Mr. Hamill, can you please put up to
18 one side Government Exhibit 10J-2 and expand May.

19 Q. What day of the week was May 21, 2019?

20 A. That was a Tuesday.

21 MR. MONTELEONI: Now you can take down Government
22 Exhibit 10J-2, Mr. Hamill.

23 Thank you.

24 Q. Now, directing your attention to line 646, May 21, at 7:57
25 a.m., please read what Hana uses WhatsApp to send to Helmy.

05tWmen2

Coughlin - Direct

1 A. "528 of the Hart Senate Office Building."

2 Q. How does that address, 528 Hart Senate Office Building,
3 compare to the address you testified Shawky was invited to back
4 in March 2018?

5 A. It's the same.

6 MR. MONTELEONI: Mr. Hamill, could you please scroll,
7 I guess, down so you can expand the next few lines spanning the
8 next two pages -- spanning these two pages.

9 Thank you.

10 Q. Directing your attention to line 648, the bottom of the
11 page, and 649, at the top of the next page, please read both of
12 the messages that Helmy writes to Hana at 11:14 a.m., in order?

13 A. "How long will it be? 25 mins do you think?"

14 Q. Directing your attention to the next line, what does Hana
15 write in response to Helmy writing 25 mins do you think?

16 A. "45 minutes."

17 Q. Two lines down, what does Hana write, also at 11:14 a.m.?

18 A. "Or whatever time you need."

19 Q. Now directing your attention a few lines down, to line 655,
20 on May 21, 2019, at 12:21 p.m., so first, how does that time
21 compare to the 12:30 p.m. time that Menendez told Arslanian to
22 tell Will in the text we were looking at?

23 A. It's nine minutes before.

24 Q. Can you please read the translation of what Hana texts
25 Helmy in that first 12:21 p.m. line?

05tWmen2

Coughlin - Direct

1 A. "Where are you?"

2 Q. Please read Helmy's response.

3 A. "Two mins."

4 Q. Can you please read Hana's next two responses at 12:21 and
5 12:22 p.m., in order?

6 A. "OK.

7 "The fifth floor."

8 Q. Directing your attention two lines down, to line 660 at
9 1:03 p.m. First of all, how long is 1:03 p.m. after the 12:30
10 p.m. time that Menendez texted?

11 A. 33 minutes.

12 Q. Can you please read what Nadine texts to Menendez then?

13 A. She says, he is still yelling at Will for talking about
14 halal.

15 Q. Please read Menendez's response at 1:09 p.m.

16 A. "Indeed he's right."

17 Q. Directing your attention to the first line for 1:10 p.m. --
18 so first, about how long is this after the 12:30 p.m. time that
19 Menendez texted Nadine about?

20 A. It's 40 minutes.

21 Q. Can you please read whose search history is listed in this
22 line?

23 A. It's Robert Menendez's search history.

24 Q. Can you please read the search terms listed in the search
25 history?

O5tWmen2

Coughlin - Direct

1 A. "April Corley."

2 MR. MONTELEONI: Let's look at this for a moment.

3 Mr. Hamill, could you please put up Government Exhibit
4 A301-20.

5 Q. So, Special Agent Coughlin, what are we looking at here?

6 A. This is a Google search history.

7 Q. And which comes first, the top row or the bottom row?

8 A. The bottom row comes first.

9 Q. The search history is in reverse chronological order?

10 A. Yes, exactly.

11 Q. Please read the time listed for the bottom row.

12 A. Yes. 5:10:38 seconds p.m.

13 Q. So if it says 5:10 p.m. UTC, why is that listed as 1:10
14 p.m. on the chart?

15 A. Because this is in UTC, and we converted it to Eastern
16 time.

17 Q. So now directing your attention to the top row now, could
18 you please read the text starting visited?

19 A. "Visited Egypt's military shot an American roller skater.
20 Now she's seeking..."

21 MR. MONTELEONI: All right.

22 Mr. Hamill, could you please put up Government Exhibit
23 1432, page 1.

24 All right. I'm going to now read paragraph 1:

25 "The documents marked for identification as the

O5tWmen2

Coughlin - Direct

1 following government exhibits contain true and accurate copies
2 of articles from the specified sources below, as published on
3 the approximate dates set forth below."

4 And then if you could scroll down to -- and expand.
5 I'm going to read, "Government Exhibit 10A-8 source Middle East
6 I. Date February 28, 2019."

7 The government offers Government Exhibit 10A-8.

8 THE COURT: Admitted.

9 (Government Exhibit 10A-8 received in evidence)

10 MR. MONTELEONI: Mr. Hamill, could you please publish
11 Government Exhibit 10A-8.

12 Q. Can you please read the title, Special Agent Coughlin?

13 A. "Egypt's military shot an American roller skater. Now
14 she's seeking damages."

15 Q. Could you please read the subtitle?

16 A. "April Corley's tourist bus was strafed by U.S.-supplied
17 Apache helicopters in Egypt's western desert in 2015."

18 MR. MONTELEONI: Now, can you scroll down, Mr. Hamill,
19 briefly. OK.

20 Q. Beneath the byline, can you please just read the first
21 sentence?

22 A. "An American citizen grievously wounded by Egypt's armed
23 forces is at the center of a dispute between the United States
24 and the Cairo government."

25 Q. Please remind the jury whether this case is among those

O5tWmen2

Coughlin - Direct

1 reported in the article in 2018 regarding human rights
2 conditions that senator 1 was placing on aid to Egypt.

3 A. Yes, it was in that article.

4 MR. MONTELEONI: Turn to the timeline.

5 Mr. Hamill, could you please take us to Government
6 Exhibit 1302, page 50.

7 Q. Special Agent Coughlin, directing your attention to line
8 664 at 1:13 p.m. on May 21, 2019, can you please read what
9 Nadine texts Menendez?

10 A. "He also said protocol meeting is 15 min. And that Will
11 should respect that."

12 Q. Directing your attention to the next line, can you please
13 read Menendez's response at 1:15 p.m.?

14 A. "Good for him."

15 Q. A few lines down, at line 669, what does Nadine text to
16 Menendez at 1:17 p.m.?

17 A. "He just said he was so upset about halal talk that he
18 forgot to give you official invitation to visit Egypt."

19 Q. Two lines down, what does Menendez text to Nadine at 2:22
20 p.m.?

21 A. "LOL."

22 Q. Sorry. I said two.

23 Three lines down, what does Menendez text Nadine at 2:22
24 p.m.?

25 A. "I need the counselor number."

O5tWmen2

Coughlin - Direct

1 Q. Now, directing your attention to lines 673 and 674, could
2 you please read the translations of the two messages that Hana
3 sends to Helmy through WhatsApp at 2:23 p.m., in order?

4 A. "Bob wants your telephone number.

5 "Which number should I give him?"

6 Q. Please -- well, directing your attention to the next text
7 message, could you please read what Nadine texts to Menendez at
8 2:23 p.m.?

9 A. Yes, she texts 202-795-0565.

10 Q. How does that number compare to the number associated with
11 the WhatsApp account that Helmy used to communicate with Hana
12 in the communications we've been looking at?

13 A. It's the same.

14 MR. MONTELEONI: Mr. Hamill, could you please take us
15 to page 51.

16 Q. Directing your attention to 4:45 p.m., near the top of the
17 page, please read the translations of the 4:45 p.m. messages
18 that -- just the ones that Helmy sends to Hana on rows 677 to
19 678.

20 A. "Does he have WhatsApp?

21 "I want to send him what he had requested."

22 Q. Directing your attention to the next line, please read
23 Hana's response.

24 A. "No."

25 Q. Please read Helmy's reply.

O5tWmen2

Coughlin - Direct

1 A. "OK. I will print it and give it to him."

2 Q. Let's look at the next day. Directing your attention to
3 May 22, 2019, first entry for 11:04 a.m., what application does
4 it reflect that HH HH uses to send Hana a document?

5 A. That's WhatsApp.

6 MR. MONTELEONI: Let's look at this document.

7 Mr. Hamill, could you please publish what's in
8 evidence as Government Exhibit C104A.

9 Now, most of these words on this page are in Arabic.

10 Q. Directing your attention to the first paragraph --

11 MR. MONTELEONI: If you could expand the first
12 paragraph, Mr. Hamill.

13 Thank you.

14 Q. -- do you see any English there?

15 A. Yes. It says draconian decision.

16 MR. MONTELEONI: Let's look at the translation.

17 Mr. Hamill, could you please put up Government Exhibit
18 A -- C104, rather, AT.

19 Q. Directing your attention to the upper left portion of the
20 translation, under the word "seal" in brackets, can you please
21 read the bolded lines up there?

22 A. "Arab Republic of Egypt, ministry of trade and industry,
23 the minister."

24 MR. MONTELEONI: Mr. Hamill, please show the bottom of
25 page 1, top of page 2 of Government Exhibit C104-AT.

O5tWmen2

Coughlin - Direct

1 Q. So directing your attention to the last sentence of this
2 paragraph, starting on the bottom of page 1, with your
3 excellency and reading to the end of the paragraph with United
4 States of America, please read that.

5 A. "Your excellency may see the importance of considering
6 granting the American side a period of time to adjust its
7 situation if the opinion of your esteemed ministry is to grant
8 exclusive rights to IS EG, recently accredited by the committee
9 that visited the United States of America."

10 Q. Can you please read the next lines from please advise down
11 to created on?

12 A. "Please advise. Respectfully, minister of trade and
13 industry, engineer/Amr Nassar, created on 5/15, 2019."

14 MR. MONTELEONI: Could we go back up to the first
15 paragraph on the first page.

16 Q. Directing your attention to this first paragraph, I'm not
17 going to ask you to read the whole paragraph, but on the
18 second-to-last line, where it talks about the suspension of
19 beef shipments to Egypt, what is the date that's listed in this
20 sentence?

21 A. The 1st of May 2019.

22 MR. MONTELEONI: All right. Mr. Hamill, could you
23 please put up Government Exhibit 1302 and take us to page 51.

24 Q. Special Agent Coughlin, directing your attention to the
25 second entry for 11:04 a.m. on May 22, 2019, what does HH HH

O5tWmen2

Coughlin - Direct

1 send to Hana through WhatsApp in addition to the document?

2 A. It says Aly Al Abdie.

3 Q. A few lines down, line 688, please read what HH HH writes
4 to Hana on WhatsApp?

5 A. "Wael, I need a brief for what happened yesterday."

6 Q. How does the date of HH HH sending this message compare to
7 May 21, the date of the meeting we talked about?

8 A. It's the next day.

9 Q. Can you please read the translation of Hana's response to
10 HH HH at 3:14 p.m.?

11 A. "The whole meeting or what is pertaining to al halal."

12 Q. Please read HH HH's reply at 3:15 p.m.

13 A. "Halal."

14 MR. MONTELEONI: Mr. Hamill, please take us to page
15 52.

16 Q. Directing your attention to 4:35 p.m. on May 22, 2019, what
17 does HH HH send to Hana?

18 A. He sends him a link to a Facebook article.

19 MR. MONTELEONI: Mr. Hamill, could you please put up
20 Government Exhibit 1432.

21 All right. And could you please scroll down.

22 Wait. Stop. There we go. Paragraph 7.

23 I'm going to read from paragraph 7 of Government
24 Exhibit 1432:

25 "The document marked for identification as Government

O5tWmen2

Coughlin - Direct

1 Exhibit 10B-2 contains a true and accurate copy of a post from
2 www.facebook.com that was accessible through the URL," and
3 there's a lengthy URL, "as of at least May 23, 2024."

4 Q. Special Agent Coughlin, I'm not going to read the URL out
5 loud, but does that URL refer to the URL you were just looking
6 at on the chart?

7 A. Yes, it does.

8 MR. MONTELEONI: Mr. Hamill, could you please put up
9 Government Exhibit 10B-2.

10 Q. Special Agent Coughlin, what social media platform is this
11 a post from?

12 A. The post is from Facebook.

13 Q. All right. What is the date of the post in the upper right
14 corner?

15 A. May 21, 2019.

16 Q. And so how long was that before the May 22, 2019, date when
17 HH HH sent the link to this post to Hana?

18 A. It was just the day before.

19 Q. Directing your attention under the picture with the meat
20 counter, please read the website address.

21 A. "Alborsaanews.com."

22 Q. In preparing for trial, have you seen a document with this
23 picture and listing alborsaanews.com's domain?

24 A. Yes, I have.

25 MR. MONTELEONI: Mr. Hamill, could you please put up

O5tWmen2

Coughlin - Direct

1 to the right Government Exhibit 10A-4.

2 Q. Special Agent Coughlin, how does the photo in Government
3 Exhibit 10A-4 compare to the photograph in Government Exhibit
4 10B-2?

5 A. The photo appears to be the same.

6 MR. MONTELEONI: And Government Exhibit 10A-4,
7 Mr. Hamill, could you please expand there the top left text
8 with the URL.

9 Q. So how does the domain before the dot-com in the web
10 address that you just read in Government Exhibit 10A-4, the
11 article, compare to the domain listed below the photo of the
12 meat counter in the Facebook post?

13 A. It's the same.

14 MR. MONTELEONI: Let's go back to the timeline. See
15 what happens after this post is sent.

16 Could you take us to page 52 of Government Exhibit
17 1302, Mr. Hamill.

18 Q. Special Agent Coughlin, directing your attention to line
19 701, can you please read what Hana texts to Nadine at 4:42 p.m.
20 on May 22, 2019?

21 A. Yes, he texts a link.

22 "https://www.alborsaanews.com/2019/5/21/1205949."

23 Q. Have you entered that URL into a web browser in preparation
24 for trial?

25 A. Yes.

O5tWmen2

Coughlin - Direct

1 Q. OK. And how does what you saw when you did that compare to
2 that Alborsaa news article that we were just looking at?

3 A. It appears to be the same.

4 MR. WEITZMAN: Objection, your Honor. He doesn't
5 speak Arabic.

6 THE COURT: He doesn't have to. He said it appears
7 the same. Objection overruled.

8 BY MR. MONTELEONI:

9 Q. Directing your attention to 4:44 p.m., please read what
10 Hana texts Nadine in that line?

11 A. "It's the only place will accept to publish his report."

12 Q. Directing your attention to 4:50 p.m., can you please read
13 Nadine's reply six minutes later?

14 A. "Can you please translate word for word what is written on
15 there the picture."

16 Q. Directing your attention to 5:26 p.m., what does Hana send
17 Nadine after she writes can you please translate word for word
18 what is written on there the picture?

19 A. She sends an email.

20 MR. MONTELEONI: Let's look at the email.

21 Mr. Hamill, can you please publish Government Exhibit
22 C501.

23 Q. Special Agent Coughlin, directing your attention to the
24 subject line, can you please read the subject?

25 A. Yes. "Forward IS EG article."

O5tWmen2

Coughlin - Direct

1 MR. MONTELEONI: Mr. Hamill, could you please publish
2 page 2 of Government Exhibit C501.

3 Q. Special Agent Coughlin, could you please read the first
4 paragraph?

5 A. "The agricultural office of the American embassy in Cairo
6 confirmed the report published by the stock exchange in its
7 issue yesterday, on the adoption of the Egyptian ministry of
8 agriculture one Islamic center for the adoption of halal
9 slaughter and certification, after the work was conducted with
10 8 centers, and pointed to the potential disruption of markets
11 and confusion between traders and regulators."

12 Q. Directing your attention halfway down the page, to the
13 fourth paragraph, which also starts the agriculture office at
14 the U.S. embassy in Cairo, please read the just first sentence
15 of that paragraph.

16 A. "The agricultural office at the U.S. embassy in Cairo said
17 that the sudden change in the Egyptian policy of importing meat
18 from the United States caused the possibility of market turmoil
19 and confusion between traders and regulators."

20 MR. MONTELEONI: Let's turn to the timeline.

21 Mr. Hamill, can you please put up Government Exhibit
22 1302, page 52.

23 Q. Special Agent Coughlin, directing your attention to the
24 second entry at May -- sorry, at 5:26 p.m. on May 22, please
25 read what Hana texts Nadine.

O5tWmen2

Coughlin - Direct

1 A. "Look up your email and your text."

2 Q. Directing your attention to the next line, could you please
3 read Hana's text?

4 A. "Email or WhatsApp?"

5 Q. Directing your attention to the next line, what else does
6 Hana do at 5:30 p.m.?

7 A. Attempts -- he attempts to call Nadine Arslanian.

8 Q. How long is that call?

9 A. Zero seconds.

10 Q. Directing your attention to the next line, what does Nadine
11 respond at 5:31 p.m.?

12 A. Email.

13 Q. Directing your attention to the next line, what does Hana
14 respond, also at 5:31 p.m.?

15 A. Done.

16 Q. Line after that, line 710, can you please read Nadine's
17 response, also at 5:31 p.m.?

18 A. "I'll call you in 10."

19 Q. Directing your attention to the line after that, could you
20 please read Hana's reply, also at 5:31 p.m.?

21 A. "Look it up."

22 Q. Directing your attention to the next line, at 5:58 p.m.,
23 who does Hana call?

24 A. I believe -- you said who --

25 Q. Sorry. Who does Nadine call? I apologize.

05tWmen2

Coughlin - Direct

1 A. She calls Wael Hana.

2 Q. For how long?

3 A. That call lasts three minutes.

4 Q. So if the call lasts three minutes and starts at 5:58 p.m.,
5 about when would it end?

6 A. It would end around 6:01.

7 Q. Directing your attention to the next line, what does Nadine
8 do at 6:03 p.m.?

9 A. She then attempts to call Robert Menendez.

10 Q. How long is that call?

11 A. That's zero, zero seconds.

12 Q. Directing your attention to the next line, could you please
13 read what Nadine texts Menendez at 6:03 p.m.?

14 A. "*Mon amour*, do you want me to text or email you the info?"

15 MR. MONTELEONI: Let's look briefly at this.

16 Mr. Hamill, can you put up Government Exhibit A101-33,
17 expand the bottom two-thirds of the page.

18 Q. Directing your attention to the middle text where she
19 writes what you just read, what, if any, written response does
20 this document indicate Menendez makes?

21 A. There -- there is no written response.

22 Q. When is the next text reflected in this document?

23 A. 8:37 p.m.

24 MR. MONTELEONI: Let's go back to the timeline, to
25 when Nadine sends that text.

O5tWmen2

Coughlin - Direct

1 Mr. Hamill, could you please put up Government Exhibit
2 1302, page 52.

3 Q. Directing your attention to the first line at 6:03 p.m. on
4 May 22, 2019, is that the text we were just looking at? Line
5 714.

6 A. Yes. Thank you.

7 Yes.

8 Q. Now, directing your attention to the next line, line 715,
9 what does Menendez do after Nadine sends that text?

10 A. He calls her, and that call appears to go through because
11 it lasts for two minutes and 28 seconds.

12 Q. About how long after she texts do you want me to text or
13 email you the info does he call her?

14 A. It's the same minute, so less than a minute.

15 MR. MONTELEONI: Let's look at the next morning.

16 Q. Directing your attention to 8:23 a.m. on May 23, 2019, what
17 does Hana send Nadine Arslanian?

18 A. He sends her an email.

19 MR. MONTELEONI: Let's look at this email.

20 Mr. Hamill, could you please put up what's in evidence
21 as Government Exhibit C414, and please expand from the second
22 email down to the bottom of the first page.

23 That was perfect, Mr. Hamill. Thank you.

24 Q. All right. So directing your attention to the email that's
25 under begin --

05tWmen2

Coughlin - Direct

1 MR. MONTELEONI: Can we go up a little bit higher,
2 Mr. Hamill, so we can see the begin forwarded message.

3 Q. Directing your attention to the email that's under --

4 THE COURT: Slow down. Slow down.

5 Q. All right. So directing your attention to the email that's
6 under begin forwarded message, who sent that email?

7 A. It's from Wael Hana.

8 Q. To whom?

9 A. Nadine Arslanian.

10 Q. What's the subject?

11 A. Ali.

12 Q. Now directing your attention below, who is the next email
13 in the chain from?

14 A. Travis Arp.

15 Q. Who is it to?

16 A. Gbd@wt.net.

17 Q. And without reading it all, what's forwarded below?

18 A. It's a -- the letter. A letter -- the letter.

19 Q. This is one of the emails we saw previously from Ali Abdi
20 to several individuals?

21 A. Yes, exactly.

22 Q. Does anything in this document indicate how Hana got a copy
23 of this email after it was sent to gbd@wt.net?

24 A. No.

25 MR. MONTELEONI: Mr. Hamill, please take us back to

O5tWmen2

Coughlin - Direct

1 Government Exhibit 1302, page 52.

2 Q. After sending this email at 8:23 a.m., what does Hana do at
3 8:25 a.m.?

4 A. He then texts Nadine.

5 Q. And what does he text her?

6 A. Hana sends text of Ali Abdi email, the email we were just
7 looking at.

8 MR. MONTELEONI: All right. Now let's see what Nadine
9 does after receiving this.

10 Q. Who is the message on the next line from?

11 A. Nadine.

12 Q. Who is it to?

13 A. Robert Menendez.

14 Q. And what is forwarded in this?

15 A. The same email we've been discussing.

16 Q. Now, directing your attention to line 720, what does
17 Menendez do at 5:08 p.m. on May 23, 2019?

18 A. He calls Nadine for six minutes and eight seconds.

19 Q. Directing your attention to 5:15 p.m., what does Hana do?

20 A. He texts Nadine the link to that article about -- that
21 Facebook article we, we've seen before.

22 Q. When you say the Facebook article, is that the Facebook
23 post sharing in the article or the Alborsaa underlying news
24 article?

25 A. Yes. You're right. It's not a Facebook article. The

O5tWmen2

Coughlin - Direct

1 article's from alborsaanews.com.

2 Q. Turning to page 53, directing your attention to 5:17 p.m.,
3 what does Nadine do after receiving this link to the Alborsaa
4 article?

5 A. She then texts the link to Menendez.

6 Q. And directing your attention to 5:18 p.m., please read what
7 she texts Menendez one minute after sending that link.

8 A. "I just emailed it to you, *mon amour de la vie*."

9 Q. Directing your attention to line 724, who sends the email
10 on that line at 5:31 p.m. on May 23, 2019?

11 A. Robert Kelly.

12 MR. MONTELEONI: Let's look at the email.

13 Mr. Hamill, could you please put up what's in evidence
14 as Government Exhibit 8B-16.

15 Q. Special Agent Coughlin, directing your attention to the to
16 line, could you please read the email address that this is to?

17 A. Yes. Ted.Mckinney@usda.gov.

18 Q. Directing your attention to the signature block at the
19 bottom, could you please remind the jury of Robert Kelly's
20 title?

21 A. Yes. Deputy chief of staff for operations, U.S. Senator
22 Bob Menendez.

23 Q. Please read the subject line.

24 A. "Article from Senator Menendez."

25 Q. Please read the body of the email.

O5tWmen2

Coughlin - Direct

1 A. "Undersecretary McKinney, please find attached the article
2 that Senator Menendez and you discussed with English
3 translation. Best, Rob."

4 Q. Please read the file name of the attachment.

5 A. Yes. It's untitled, in brackets, dot-pdf.

6 MR. MONTELEONI: Let's look at the attachment.

7 Mr. Hamill, please put up page 2 of Government Exhibit
8 8B-16.

9 Could you also put up to one side Government Exhibit
10 10A-4.

11 Q. Special Agent Coughlin, directing your attention to this
12 picture in Government Exhibit 8B-16, the attachment to the
13 email, leaving aside the coloration issues, how does the
14 picture compare to the picture in the Alborsaa article we've
15 been looking at?

16 A. The picture appears the same.

17 MR. MONTELEONI: You can take down Government Exhibit
18 10A-4, Mr. Hamill.

19 Thank you.

20 Let's go farther down in the attachment. Mr. Hamill,
21 could you please put up page 8 of Government Exhibit 8B-16.

22 Q. Special Agent Coughlin, how does the text of this portion
23 of the document sent by Kelly to Ted McKinney compare to the
24 document that Hana sent to Nadine Arslanian that we were
25 looking at previously?

O5tWmen2

Coughlin - Direct

1 A. It's similar.

2 MR. MONTELEONI: Mr. Hamill, could we please return to
3 page 53 of Government Exhibit 1302.

4 Q. Special Agent Coughlin, directing your attention to May 24,
5 2019, at 9:48 a.m., who sends the email on that line?

6 A. Ted McKinney.

7 Q. And could you please read what McKinney writes in this
8 email?

9 A. "Let's continue to gather all relevant facts before I
10 respond to Senator Menendez. Also important to me is that you
11 reassure post in Egypt that we have their back. They should
12 not worry about this call from the senator. It is what it is,
13 and the very nature of this strange issue was bound to generate
14 some interesting questions or calls. Thanks for reassuring
15 them."

16 MR. MONTELEONI: Your Honor, this might be a good time
17 for a break. We're three minutes before 1:20.

18 THE COURT: Continue.

19 MR. MONTELEONI: All right. So let's move ahead a few
20 days.

21 Q. Turning to page 54, directing your attention to lines 748
22 and 749, could you please read those two messages that HH HH
23 sends to Hana by WhatsApp, in order, that are listed as being
24 sent on May 28, 2019, at 3:10 p.m.?

25 A. "Wael I need a written diagram for the office force.

O5tWmen2

Coughlin - Direct

1 "By tasks and titles."

2 Q. Two lines down, what does HH HH write to Hana in the last
3 message listed at 3:10 p.m.?

4 A. "With salaries."

5 Q. Directing your attention to the next line at 6:08 p.m. --
6 I'm not going to ask you to read the full text, but does Hana
7 list a number of names with numbers and then the letter K after
8 the numbers?

9 A. Yes, that's correct.

10 Q. Directing your attention to the second line, starting 2,
11 could you please read that line?

12 A. "Bob Alvino 125K."

13 Q. How does the 125K after Bob Alvino's name compare to the
14 numbers after all the other people's names?

15 A. It's the most, it's the highest number.

16 Q. Directing your attention to the middle of the text, after
17 the line that says 5, could you please read the line starting
18 Nadine?

19 A. Nadine Arslan 120K.

20 Q. Leaving aside Bob Alvino, how does the 120K after Nadine
21 Arslan's name compare to the numbers after all the other names
22 listed here?

23 A. It's more than all the others, other than, as you said,
24 leaving aside Bob Alvino.

25 Q. Directing your attention to the next three lines, lines 753

O5tWmen2

Coughlin - Direct

1 through 755, please read those next three messages that HH HH
2 sends to Hana at 6:22 p.m., in order.

3 A. "Titles.

4 "Tasks.

5 "Annual."

6 Q. Two lines down, could you please read what HH HH writes to
7 Hana at 6:23 p.m.?

8 A. "Each of them task and titles."

9 MR. MONTELEONI: Mr. Hamill, could you please take us
10 to page 55.

11 Q. Directing your attention to line 759, I'm not going to ask
12 you to read the whole text of Hana's response to HH HH at 6:29
13 p.m., but does it include what appear to be job descriptions
14 accompanying the same names as the previous text?

15 A. Yes.

16 Q. What's the job description listed for Nadine Arslan?

17 A. Vice president.

18 Q. Is the number after her name still the second highest
19 number?

20 A. It is, yes.

21 Q. By the way, if you're getting 120,000 annual salary, how
22 much are you getting every month?

23 MR. WEITZMAN: Objection, your Honor.

24 THE COURT: Sustained.

25 MR. MONTELEONI: So, I'd like to turn -- I'm turning

O5tWmen2

Coughlin - Direct

1 to a new topic, and I can keep going, your Honor, but it is now
2 1:20.

3 THE COURT: Keep going.

4 MR. MONTELEONI: All right. So let's turn to some
5 more communications with Helmy.

6 Q. Directing your attention to line 760 on page 55 and also
7 761 on page 56, so what type of file did these lines reflect
8 that Helmy sends Hana on May 30, 2019, at 5:45 p.m.?

9 A. They're image files. They look like screenshots.

10 MR. MONTELEONI: Let's look at these images.

11 Mr. Hamill, can you please publish Government Exhibit
12 C207-I.

13 Q. Special Agent Coughlin, could you please read the first
14 paragraph?

15 A. "We are writing to let you know that our client, April
16 Corley, declines to accept the current offer of \$2 million.
17 However, as a show of good faith, April submits that she will
18 accept a settlement of \$13.5 million from your clients,
19 representing a reduction of \$495,000 from the counteroffer we
20 had conveyed on April 4, 2019."

21 Q. And can you please remind the jury who April Corley is as
22 reflected in the documents we've reviewed?

23 A. Yes. She was the woman who was injured or shot in the
24 attack in 2015, I believe.

25 Q. Is that the same person that Menendez's search history

O5tWmen2

Coughlin - Direct

1 reflects in Google?

2 MR. WEITZMAN: Objection. Leading.

3 THE COURT: Sustained.

4 BY MR. MONTELEONI:

5 Q. Please read the second paragraph.

6 A. "As we have explained repeatedly, April is seeking fair and
7 just compensation to settle her claim with Egypt.

8 Unfortunately, this amount is neither fair nor just. And, as
9 we've explained, neither Congress nor the State Department view
10 this offer as fair nor just -- nor even close to commensurate
11 with what she has suffered and will suffer for the rest of her
12 life. That remains the view of Congress and State today."

13 Q. Let's read the last paragraph of this, please.

14 A. "We remind you that the appropriations legislation
15 currently moving through the U.S. House -- and that will
16 inevitably make its way through the U.S. Senate and to the
17 president's desk for signing -- explicitly references the word
18 'commensurate' and the number 13 million in conjunction with
19 the amount of aid that will be withheld from Egypt if no fair
20 nor commensurate settlement is achieved with Egypt."

21 MR. MONTELEONI: Let's look at the second image.

22 Mr. Hamill, could you please publish Government
23 Exhibit C207-J.

24 Q. Special Agent Coughlin, please read just the first sentence
25 in that paragraph.

O5tWmen2

Coughlin - Direct

1 A. "Although we accept your representation that we are
2 currently dealing with a private entity that is not the
3 government of Egypt, it's not lost on anyone -- whether April,
4 the Congress or the administration -- that this situation is
5 Egypt's liability alone."

6 MR. MONTELEONI: Let's return to the timeline.

7 Mr. Hamill, can you please put back Government Exhibit
8 1302, page 56.

9 Q. Special Agent Coughlin, directing your attention to line
10 764, 6:07 p.m. on May 30, 2019, could you please read the
11 translation of that WhatsApp message from Helmy to Hana?

12 A. "You know, bro if the guy takes care of this thing through
13 senator 1 he'll be settled in."

14 MR. MONTELEONI: Mr. Hamill, can you please put up to
15 one side Government Exhibit A402.

16 Q. Special Agent Coughlin, could you please read the first two
17 sentences of the body of Government Exhibit A402?

18 A. "Last week, senator 1, a frequent critic of the Sisi
19 government, said he would put a hold on up to \$300 million in
20 aid to Egypt unless a series of conditions are met. These
21 include providing compensation for April Corley, a U.S. citizen
22 who was grievously injured when Egyptian forces mistakenly
23 bombed a group of U.S. tourists in Egypt's western desert in
24 2015."

25 MR. MONTELEONI: You can take down Government Exhibit

O5tWmen2

Coughlin - Direct

1 A402, Mr. Hamill.

2 Thank you.

3 Q. Special Agent Coughlin, directing your attention to the
4 6:09 p.m. message, can you please read the translation of the
5 message that Helmy sends to Hana through WhatsApp?

6 A. "Our decision is that we already gave our final offer. Two
7 million and not a single dollar more."

8 MR. MONTELEONI: Mr. Hamill, can you please put up to
9 the side Government Exhibit C207-I.

10 Q. Can you please read the amount of the funds in the first
11 sentence of Government Exhibit C207-I?

12 A. Yes. It says \$2 million.

13 THE COURT: Why don't you find a logical point to
14 break now.

15 MR. MONTELEONI: All right. I think that this is a
16 logical point to break.

17 THE COURT: Ladies and gentlemen, let's break for
18 lunch. Thank you for accommodating me. I wanted to get
19 testimony in. Why not be back at 2:30. We'll go until 5
20 o'clock. We'll take a short, midafternoon break.

21 I'll see you all at 2:30. Thank you.

22 (Continued on next page)

O5tWmen2

Coughlin - Direct

1 (Jury not present).

2 THE COURT: You may step down, sir.

3 2:30, everyone.

4 Thank you.

5 (Luncheon recess)

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O5T3MEN3

Coughlin - Direct

AFTERNOON SESSION

2:30 p.m.

THE COURT: The jury is all here. You may be seated. Mr. Monteleoni, do you want to get your colleagues or do you want to go forward?

MR. MONTELEONI: I think they're coming.

THE COURT: Not all the jurors are in. I thought they were. I'll step off until they're all here. We'll call that person.

(Recess)

THE COURT: The last juror has arrived. Please bring the jury in.

(Jury present)

THE COURT: Please be seated in the courtroom. We'll have two-and-a-half hours of testimony with a break in the middle for people to refresh themselves.

You understand that you remain under oath, sir, correct?

THE WITNESS: Yes.

THE COURT: You may proceed, Mr. Monteleoni.

MR. MONTELEONI: Thank you, your Honor.

Mr. Hamill, can we please put up page 56 of Government Exhibit 1302.

BY MR. MONTELEONI:

Q. So, before the break, Special Agent Coughlin, do you

O5T3MEN3

Coughlin - Direct

1 remember testifying about the messages that Helmy sent to Hana
2 on line 764 and 765 of Government Exhibit 1302.

3 Could you please remind the jury the text of those two
4 messages in order.

5 A. Sure. "You know, bro, you know, bro, if the guy takes care
6 of this thing through Senator-1 he'll be settled in. Our
7 decision is that we already gave our final offer. 2 million
8 and not a single dollar more."

9 Q. Directing your attention to the next line. Could you
10 please read Hana's response.

11 A. "Roger that. Consider it done."

12 Q. Directing your attention to the next line, the first listed
13 line for 7:54 a.m. on June 3, 2019, what does Hana send to
14 Nadine Arslanian?

15 A. The screenshots we looked at before of the April Corley
16 letter.

17 Q. How do the screenshots that Hana sends to Nadine compare to
18 the screenshots that we looked at earlier that Helmy sent to
19 Hana?

20 A. They appear to be the same.

21 Q. Skipping the next few lines and directing your attention to
22 7:27 p.m. on June 3, 2019. Who does Nadine Arslanian call?

23 A. She calls Robert Menendez.

24 Q. How long is the call?

25 A. Four minutes and 10 seconds.

O5T3MEN3

Coughlin - Direct

1 Q. The call of four minutes and 10 seconds and it starts at
2 about 7:27 p.m. About when does it end?

3 A. It would end around 3:7:31.

4 Q. Directing your attention to the next line. What does
5 Nadine send to Menendez at 7:32 p.m.?

6 A. The same screenshots of that April Corley letter.

7 Q. About how long after getting off the phone with Menendez
8 does Nadine Arslanian send them?

9 A. It would be less than a minute.

10 MR. MONTELEONI: Mr. Hamill, could you please take us
11 to page 57.

12 Q. Directing your attention to line 780, the top of the page,
13 7:32 p.m. on June 3, 2019, can you please read what Nadine
14 texts Hana.

15 A. "I have been trying to call you all afternoon. I have a
16 question regarding the text you sent me. I forwarded it. Call
17 when you have a minute."

18 Q. Directing your attention down two more lines to line 782.
19 At 7:34 p.m., on June 3, 2019, can you please read what Nadine
20 Arslanian texts Nader Moussa.

21 A. "I am guessing you are with Wael which is why you ended the
22 phone call. Tell him I've been trying to reach him all
23 afternoon regarding an answer he wanted. His voicemail is full
24 and I do not have the other phone numbers."

25 Q. Directing your attention a few more lines to 9:44 a.m. on

O5T3MEN3

Coughlin - Direct

1 June 4, 2019. Can you please read what Nadine Arslanian texts
2 Nader Moussa the next day.

3 A. "Good morning, Nader. By the time you sent me a text it
4 was already way too late. I don't understand why you can never
5 get through to you on the phone. It was very very important
6 yesterday but no problem. I hope you have a great day."

7 Q. Now I want to turn to a different topic. I want to go back
8 in time a few months. In the course of the preparing for
9 trial, did you read any texts regarding a résumé for Nadine
10 Arslanian?

11 A. I did, yes.

12 MR. MONTELEONI: Mr. Hamill, could you please take us
13 back to page 38 in Government Exhibit 1302.

14 Q. Special Agent Coughlin, directing your attention to
15 line 482 at 10:51 a.m. on March 14, 2019, can you please read
16 what Menendez texts Nadine.

17 A. "Also send me the years that you were on the Hirsch
18 Foundation and if you had a title there."

19 Q. Directing your attention to 10:52 a.m., can you please read
20 Nadine's response?

21 A. "Wow. I wouldn't have thought of that. You are so
22 brilliant."

23 Q. Directing your attention to the next line. Can you please
24 read Menendez's message at 10:55 a.m.

25 A. "Did you ever formally work for Doug?"

O5T3MEN3

Coughlin - Direct

1 Q. Can you please read Nadine's response at 11 a.m.

2 A. "No."

3 Q. Directing your attention to the next line. Can you please
4 read what Nadine writes to Menendez at 11:02 a.m.

5 A. "I started Conception Sports Management with him and got
6 90 percent of the clients and got him the clients for the law
7 practice 100 percent but never got paid for it. If you go on
8 the website for both companies I am listed. But I don't want
9 to use him for anything because if they call him, I don't want
10 to start anything with him."

11 Q. Directing your attention to line 487. What does the chart
12 reflect that Nadine sends to Menendez at 12:02 p.m.?

13 A. She sends him an e-mail that's a draft résumé.

14 Q. Let's look at the e-mail.

15 MR. MONTELEONI: Mr. Hamill, can you please put up
16 Government Exhibit A418.

17 Q. Special Agent Coughlin, directing your attention to the
18 top. Who is the sender?

19 A. Nadine.

20 Q. Who is the recipient?

21 A. Robert Menendez.

22 Q. Now, I'm not going to ask you to read this all.

23 MR. MONTELEONI: Mr. Hamill, can you please expand the
24 whole first page. Give the jury a chance to have a look at it.
25 Can you please expand the second page. Now Mr. Hamill, can you

O5T3MEN3

Coughlin - Direct

1 please take us back to page 1.

2 Q. Directing your attention to the paragraph that starts
3 Izabella's in the bottom half of the page. Please read that
4 paragraph that starts Izabella's.

5 A. "Izabella's. Family owns gift shop. I attended
6 merchandise shows, furniture shows, gift shows in Milan, Hong
7 Kong, Kuwait, New York and North Carolina for items to sell in
8 the store."

9 Q. Please read the next line.

10 A. "I did not work in the store but it was a big part in the
11 items chosen to be sold in the store."

12 MR. MONTELEONI: Mr. Hamill, if you could just expand
13 the whole first page again.

14 Q. Apart from those lines that you just read, are there any
15 international business positions listed in the résumé?

16 A. No.

17 THE COURT: Blow that page up if you can so the jury
18 can read it. Next question.

19 Q. Are there any consulting positions listed in this résumé?

20 A. No.

21 MR. MONTELEONI: Mr. Hamill, can you please take us
22 back to page 38 of Government Exhibit 1302.

23 Q. Special Agent Coughlin, directing your attention to
24 line 488, 12:18 p.m. on March 14, 2019, can you please read the
25 quoted text from Nadine to Menendez.

O5T3MEN3

Coughlin - Direct

1 A. "I don't know what I would do without you. How many women
2 my age do you know that I have worked? And have résumés? I
3 e-mailed you ideas if you have time to look at it on your train
4 ride home."

5 Q. Turning to page 39, now skipping down to line 495, the
6 first 4:12 p.m. line on March 14, 2019, can you please read
7 Nadine's text to Menendez.

8 A. "I know it's all over the place but why did you think of
9 the résumé e-mail."

10 Q. Directing your attention to the next line also at
11 4:12 p.m., can you please read Menendez's response.

12 A. "Enough material to work with."

13 MR. MONTELEONI: Mr. Hamill, can you please publish
14 Government Exhibit A420 and turn to page 2.

15 Q. So, Special Agent Coughlin, directing your attention to the
16 12:02 p.m. e-mail from Nadine Arslanian. How does that compare
17 to the e-mail that we were just looking at?

18 A. It appears to be the same.

19 MR. MONTELEONI: Mr. Hamill, can you please publish
20 page 1 of Government Exhibit A420 and expand the e-mails from
21 the 5:12 p.m. e-mail down to the bottom of the page.

22 Q. Special Agent Coughlin, I'm not going to ask you to read
23 them all, but are there a couple of e-mails back and forth
24 between Menendez and Nadine about questions about the résumé?

25 A. Yes, that's correct.

O5T3MEN3

Coughlin - Direct

1 Q. Directing your attention to the 5:12 p.m. e-mail. What's
2 the display name of the user who sends that message?

3 A. Rob Kelly.

4 Q. What's the body?

5 A. "How about the attached."

6 MR. MONTELEONI: Mr. Hamill, can you please expand the
7 top half of the page.

8 Q. Special Agent Coughlin, can you please read the body of the
9 top e-mail from Rob Kelly.

10 A. "Updated."

11 Q. Can you please read the file name of the attachment.

12 A. Arslanianresume.docx.

13 Q. Let's look at the attachment.

14 MR. MONTELEONI: Mr. Hamill, can you please put up
15 page 6 of Government Exhibit A420.

16 Q. Special Agent Coughlin, what is this?

17 A. It appears to be a more finalized version of the draft
18 résumé that Nadine previously sent.

19 Q. How does the substance of this résumé compare to the text
20 of the e-mail chain that was forwarded to Rob Kelly in terms of
21 the positions?

22 A. Again, it's not word for word the same, but sort of the
23 positions and the content are the same.

24 MR. MONTELEONI: Mr. Hamill, can you please take us
25 back to page 39, Government Exhibit 1302.

O5T3MEN3

Coughlin - Direct

1 Q. Special Agent Coughlin, directing your attention to
2 line 498 at 6:23 p.m. what does Menendez write to Nadine when
3 texting her the résumé?

4 A. He says "this should work" with the résumé attached.

5 Q. I'd like to return to June of 2019.

6 MR. MONTELEONI: Mr. Hamill, can you please take us
7 back to page 56.

8 Q. So, first directing your attention to row 778 in which
9 Nadine Arslanian is listed as sending Menendez's e-mail account
10 screenshots of this April Corley letter. What's the date on
11 which Nadine Arslanian sent those screenshots?

12 A. June 3, 2019.

13 MR. MONTELEONI: Mr. Hamill, can you take us to
14 page 57.

15 Q. Directing your attention to line 783, at 8:18 p.m. on that
16 date, can you please read the text from Menendez to Nadine.

17 A. "Have you heard from a Jeff Cassin from Donald's office?"

18 Q. Can you please read Nadine's response at 8:19 p.m.

19 A. "No mon amour."

20 Q. Can you please read what Nadine writes at 8:22 p.m.

21 A. "I don't know who he is. But I found out today from AT&T
22 that if your phone is on airplane mode for 72 hours or longer,
23 all your messages are deleted. If he is the man with the coins
24 I found one more coin."

25 Q. Directing your attention to 8:23 p.m., can you please read

O5T3MEN3

Coughlin - Direct

1 Menendez's response.

2 A. "No, he is the lawyer setting up your company."

3 Q. Now directing your attention to line -- Mr. Hamill, if you
4 can expand so we can see line 797.

5 Directing your attention to 10:41 a.m. on June 4,
6 2019, can you please read what Nadine writes to Menendez.

7 A. "Jeff just text me. I called him right back. He is
8 e-mailing me paperwork and I will sign it and send it back to
9 him in about two hours. I will make you proud, very proud
10 hopefully very soon."

11 Q. Turning to page 58, Mr. Hamill, if you would.

12 Directing your attention to line 804. At 2:21 p.m. on
13 June 10, 2019, can you please read what Menendez writes to
14 Nadine.

15 A. "Mon amour don't forget to call the attorney and check on
16 it."

17 Q. Directing your attention to the next line, 824 on June 10,
18 2019, can you please read what Nadine writes to -- I am so
19 sorry. Not the next line.

20 Several lines you down at 807, 8:23 a.m. on June 11,
21 2019, can you please read what Nadine writes to Menendez.

22 A. "I'm going to jump in the shower and by 10:30 be at
23 Donald's office so I can sign all the documents and then I will
24 go to the bank and find out the information that they require."

25 Q. Going down to the next page, page 59, of Government

O5T3MEN3

Coughlin - Direct

1 Exhibit 1302, directing your attention to line 825. On
2 June 11, 2019 at 4:08 p.m. can you please read what Menendez
3 texts to Nadine.

4 A. "Mon amour I lost you again" exclamation point.

5 Q. Please read Nadine's two responses at 4:09 p.m. in order,
6 the next two lines.

7 A. "I'm home. I don't know why this is happening."

8 Q. Directing your attention to the next line at 4:11 p.m.
9 What does Nadine text to Menendez?

10 A. She sends a screenshot of the Find My Friends location.

11 Q. Let's take a quick look.

12 MR. MONTELEONI: Mr. Hamill, can you please publish
13 Government Exhibit A101V.

14 Q. Special Agent Coughlin, directing your attention to the top
15 left. What's the time on this screenshot?

16 A. 4:10.

17 Q. Directing your attention to the top center. What's written
18 above the map?

19 A. "Me."

20 Q. Directing your attention to the middle of the page, the
21 line that reads "share my location." Is "share my location"
22 turned on or off?

23 A. It is turned on, yes.

24 Q. Let's return to the chart.

25 MR. MONTELEONI: Mr. Hamill, can you please put back

O5T3MEN3

Coughlin - Direct

1 up Government Exhibit 1302, page 59.

2 Q. Special Agent Coughlin, directing your attention to
3 line 829, 4:11 p.m. on June 11, 2019. What time is that line?

4 A. 4:11 p.m.

5 Q. How long was that message sent after Nadine shared the
6 screenshot with "find my location" checked?

7 A. It's the same minute.

8 Q. What type of file does Menendez text Nadine at that time?

9 A. He sends her a screenshot of what appears to be the
10 location not working.

11 Q. Let's look briefly.

12 MR. MONTELEONI: Mr. Hamill, can you please put up
13 Government Exhibit A101-F.

14 Q. Directing your attention to the top center. What's the
15 time listed?

16 A. 4:09 p.m.

17 Q. Directing your attention under that. Can you please read
18 the name?

19 A. Nadine Arslanian.

20 Q. Can you please read the words under the name Nadine
21 Arslanian.

22 A. "Location not available."

23 Q. Directing your attention to the image below. Can you
24 please read the letters that are right above the words
25 "location not available" in the bottom quadrant of the page?

O5T3MEN3

Coughlin - Direct

1 A. It says NA.

2 Q. Let's look at something a few days later.

3 MR. MONTELEONI: Mr. Hamill, can you please put up
4 Government Exhibit 1302, page 61.

5 Q. Special Agent Coughlin, directing your attention to lines
6 860 and 861, both at 11:10 a.m. on June 13, 2019. Can you
7 please read both of those two texts that Nadine sends to
8 Menendez in order.

9 A. "I just got 84-2070544. I got my EIN number."

10 Q. What is an EIN number?

11 A. An EIN number is a tax ID number, usually for the purpose
12 of a business.

13 Q. Are there other abbreviations for the same type of number,
14 for the same number?

15 A. Yes.

16 Q. What abbreviations?

17 A. EIN or a tax ID.

18 Q. What's the abbreviation for tax ID number?

19 A. TID. TIN, I'm sorry.

20 Q. Now, directing your attention to line 862, the next line.
21 How long was this next text sent after Nadine texted Menendez
22 about her EIN number?

23 A. Just a minute later.

24 Q. Can you please read this text from Nadine Arslanian to
25 Robert Menendez.

O5T3MEN3

Coughlin - Direct

1 A. "Katie is going away tomorrow through Monday. So I don't
2 know if the check is coming from them or from Will."

3 Q. Where it says Katie is going away, have you been shown
4 documents reflecting Nadine texting with anybody else about a
5 Katie?

6 A. Yes.

7 Q. Let's take a look.

8 MR. MONTELEONI: Mr. Hamill, please publish Government
9 Exhibit D102-9.

10 Q. Special Agent Coughlin, directing your attention to the
11 middle blue bubble. Who is the sender?

12 A. The sender is Nadine.

13 Q. In the "to" line of that message, can you please read the
14 last four digits this message is to.

15 A. Yes. 2222.

16 MR. MONTELEONI: Mr. Hamill, can you please put up to
17 the side Government Exhibit 1305. And can you please expand
18 the phone number column for the Daibes, Fred line as well as
19 the Daibes, Fred line.

20 Q. Special Agent Coughlin, how does the first phone number
21 listed in the Daibes, Fred line compare to the phone number
22 that Nadine is texting here in this blue bubble in Government
23 Exhibit D102-9?

24 A. It's the same. It has the 1 country code in front of it,
25 but it is the same.

05T3MEN3

Coughlin - Direct

1 MR. MONTELEONI: You can take down Government
2 Exhibit 1305, Mr. Hamill. Thank you.

3 Q. So could you please read the body text of this middle blue
4 message from Nadine to the Daibes phone number.

5 A. "Happy birthday Fred. It's two days I am looking for the
6 perfect bell. I have not found it yet but I will. May this
7 year be the happiest one yet and may all of your and Katie's
8 fondest wishes come true. Nadine."

9 MR. MONTELEONI: Mr. Hamill, can you please take us
10 back to Government Exhibit 1302, page 61.

11 Q. Directing your attention back to line 862 where Nadine
12 writes "Katie is going away tomorrow through Monday. So I
13 don't know if the check is coming from them or from Will."
14 Does Nadine explain to Menendez what the check is for?

15 A. No.

16 Q. Have you looked at the messages between Menendez and Nadine
17 over the next several hours in that message chain?

18 A. Yes.

19 Q. In those messages, does Menendez ask her what she's talking
20 about?

21 A. No.

22 Q. Let's go down to line 903 on the next -- on actually I
23 think it's page 65.

24 So directing your attention to line 903 on June 18,
25 2019, at 5:27 p.m., who does Nadine text?

O5T3MEN3

Coughlin - Direct

1 A. Robert Menendez.

2 Q. Can you please read just the quoted text that she writes to
3 Menendez on this line.

4 A. "It took over an hour but it's official."

5 Q. Let's look at the attachment that's reflected in the chart.

6 MR. MONTELEONI: Mr. Hamill, can you please publish
7 Government Exhibit A101-G.

8 Q. Special Agent Coughlin, directing your attention to the top
9 right, can you please read the words by the logo in the top
10 right.

11 A. Yes. PNC Bank.

12 Q. In the upper left in the box under the words PNC Bank
13 National Association, can you please read what's written under
14 the small letters customer name.

15 A. Strategic International Business Consultants LLC.

16 Q. One box down, under the small letters of the address, whose
17 address is that?

18 A. That's Nadine's.

19 Q. In the upper-right box next to the customer name box, can
20 you please read the taxpayer ID number TIN.

21 A. Yes. 84-2070544.

22 MR. MONTELEONI: Mr. Hamill, can you please put up to
23 one side Government Exhibit 1302, page 61. Can you please
24 expand that.

25 Q. Special Agent Coughlin, how does the TIN that you just read

O5T3MEN3

Coughlin - Direct

1 for Strategic International Business Consultants in this bank
2 document that we're looking at compare to the EIN that Nadine
3 texts to Menendez on June 13, 2019?

4 A. It's the same.

5 Q. So let's look at later on June 18, 2019.

6 MR. MONTELEONI: Mr. Hamill, if you could take down
7 Government Exhibit A101-G. And then if you could take us to
8 page 65 of Government Exhibit 1302.

9 Q. Directing your attention to line 904, what does Nadine
10 Arslanian send to Sabine Arslanian and Andre Arslanian at
11 11:16 p.m. on June 18?

12 A. That's a picture of that same document we were looking at.

13 Q. The PNC Bank document?

14 A. Yes.

15 Q. So skipping down a few lines to line 907. Can you please
16 read Sabine Arslanian's response.

17 A. "What is this?"

18 MR. MONTELEONI: Mr. Hamill, can you please scroll
19 down.

20 Q. Directing your attention to line 908. At 8:02 a.m. on
21 June 19, 2019, can you please read Nadine Arslanian's reply.

22 A. "My consulting company. Every time I'm in the middle
23 person for a deal I am asking to get paid and this is my
24 consulting company."

25 Q. Let me turn to another subject. Again I'd like to start by

O5T3MEN3

Coughlin - Direct

1 going back in time a bit.

2 MR. MONTELEONI: Mr. Hamill, can you please take us to
3 page 40.

4 Q. Special Agent Coughlin, directing your attention to
5 line 523 on March 26, 2019, at 7:52 p.m. Please write what
6 Nadine texts to Andy Aslanian.

7 A. "Okay Thursday. I got some bad news. I'm not feeling
8 well. My ear is not helping any."

9 Q. Directing your attention to 7:53 p.m., can you please read
10 Andy Aslanian's response.

11 A. "What kind of bad news."

12 Q. Directing your attention to 8:30 p.m., can you please read
13 Nadine's reply.

14 A. "I got a letter from my mortgage company."

15 Q. Let's move ahead a few weeks.

16 MR. MONTELEONI: Mr. Hamill, can you please take us to
17 page 48.

18 Q. Special Agent Coughlin, directing your attention to
19 line 633, 9:44 a.m. on April 26, 2019. Can you please read
20 what Nadine texts Menendez.

21 A. "I'm on hold with Mercedes now but please say a prayer for
22 me in your head. I need a priest to bless me and the house if
23 you know one. I'll let you know when I'm off the phone. Love
24 you."

25 Q. Directing your attention to the next line. Please read

O5T3MEN3

Coughlin - Direct

1 what Menendez texts Nadine.

2 A. "What's wrong?"

3 Q. Let's go ahead to June of 2019.

4 MR. MONTELEONI: Mr. Hamill, can you please put up
5 Government Exhibit 5C-100.

6 Q. So, Special Agent Coughlin, at the top left of this
7 document about an inch down on the page, please read the name
8 on the first line.

9 A. Kristen Bleiweis.

10 Q. Can you please read the company name on the line below the
11 words Kristen Bleiweis?

12 A. McCalla Raymer Leibert & Pierce, LLC.

13 Q. Directing your attention to the double box below that and
14 the box on the right. Please just read the bold and all
15 capitals text in around the middle of that box.

16 A. "Complaint for mortgage foreclosure."

17 Q. Directing your attention to the top line to the date in the
18 top center of that page. Please read the date.

19 A. Yes. It says June 5, 2019.

20 MR. MONTELEONI: Mr. Hamill, can you please take us
21 back to page 58 of Government Exhibit 1302.

22 Q. Directing your attention to line 806, who does Nadine
23 Arslanian call at 8:25 p.m. on June 10, 2019?

24 A. Jose Uribe.

25 Q. I'm not going to ask you details about them, but have you

O5T3MEN3

Coughlin - Direct

1 seen documents showing that Uribe was texting with Nadine
2 Arslanian about other subjects earlier in the year?

3 A. Yes, I have, yes.

4 Q. Have you seen documents that Uribe was texting with Hana
5 about other subjects before this as well?

6 A. Yes.

7 Q. Focusing on this June 10, 2019 call. How long does
8 Nadine's call to Uribe last?

9 A. 21 minutes and 31 seconds.

10 Q. Moving to the next day, June 11, 2019, what does at line --
11 Mr. Hamill, can you please take us, scroll us down so we can
12 see line 833.

13 So, on line 833, June 11, 2019, what does Nadine
14 Arslanian do at 5:53 p.m.?

15 A. She also calls Jose Uribe.

16 Q. Directing your attention to the next line. What does
17 Nadine text Uribe at 7:25 p.m.?

18 A. "Thank you."

19 Q. Can you please read Uribe's response.

20 A. "We have to save your home."

21 Q. Directing your attention to the next line, line 836. Can
22 you please read the description for what Nadine texts Uribe in
23 the first 8:07 text.

24 A. She texts two screenshots of her phone's recent calls
25 showing numerous missed calls from Hana.

O5T3MEN3

Coughlin - Direct

1 Q. Now, directing your attention to the next line, please read
2 what Nadine also texts Uribe at 8:07 p.m. on June 11, 2019.

3 A. "That is for your eyes only. I just spoke to him, he
4 doesn't seem to care."

5 Q. Directing your attention to 8:09 p.m. Please read Uribe's
6 reply.

7 A. "He does but he is too proud to show."

8 Q. When you read "he does." Is there an S missing from the
9 word "does"?

10 A. There is, thank you.

11 Q. Directing your attention to the next line at 8:21 p.m. Can
12 you please read what Nadine responds to Uribe.

13 A. "I trust you and your guidance. Enjoy the evening and
14 thank you again."

15 Q. Not going to ask you to read the next few lines, but do
16 they reflect calls and text messages between Nadine and Uribe?

17 A. Yes.

18 MR. MONTELEONI: Mr. Hamill, can you take us down so
19 we can see line 846.

20 Q. Directing your attention to line 846, at 12:58 p.m. on
21 June 12, 2019, who does Nadine text?

22 A. She texts Menendez.

23 Q. Please read what she texts him.

24 A. "I was up all night so upset about the Will situation. But
25 I got a lot done and this morning realized I will deal with

O5T3MEN3

Coughlin - Direct

1 every situation and turn it around and make it a positive one.

2 I can because you love me."

3 MR. MONTELEONI: Mr. Hamill, can you please take us to
4 page 61.

5 Q. Directing your attention to 10:10 a.m. on June 13, 2019.

6 Can you please read what Menendez -- what Nadine texts
7 Menendez.

8 A. "If you take your prayer break, please please please put me
9 on the very top of the list."

10 Q. 10:11 a.m., can you please read Menendez's response?

11 A. "Oui mon amour. Any special reason?"

12 Q. Skipping down a few lines to line 857. Please read what
13 Menendez writes at 10:19 a.m.

14 A. "Okay. Any special reason you want prayers?"

15 Q. Directing your attention to the next line. Please read
16 Nadine's reply.

17 A. "Oui mon amour, but not over texting. I will tell you
18 tonight. Nothing to worry about. Please put me on the very
19 top of your list. Your prayers always get answered."

20 Q. Directing your attention to the next line, 10:24 a.m.

21 Please read what Nadine texts Menendez two minutes later.

22 A. "I prayed for Joe and Noussy and my dad this morning but
23 the prayers I am asking of you are just for me personally."

24 Q. Let's look a few days later.

25 MR. MONTELEONI: Mr. Hamill, can you please take us to

O5T3MEN3

Coughlin - Direct

1 page 62.

2 Q. So, directing your attention to the one line on this page,
3 at 11:15 on June 15, 2019, not going to ask you to read this
4 entire lengthy text. But directing your attention to the
5 paragraph in the middle of the text starting "I have one favor
6 to ask you." Please read that paragraph texted from Nadine to
7 Uribe.

8 A. "I have one favor to ask you. I have to have go see my dad
9 now. I am going to screenshot the information. If you could
10 please have Wael go to a bank and send an electronica wire to
11 put the house back on normal status."

12 Q. Directing your attention to the next paragraph, starting
13 "if it is done by Monday morning." Can you please read that
14 paragraph.

15 A. "If it is done by Monday morning and he can do it from my
16 bank the electronica wire everything will be back to normal
17 status. But it has to be done by Monday morning. If you could
18 maybe forward it to him if you are not seeing him or around
19 today."

20 Q. Please read the next two lines down to "not forget ever."

21 A. "He with the situation he just went through should be very
22 understanding. I know this is a lot to ask. As I said before,
23 I do will not forget ever."

24 MR. MONTELEONI: Mr. Hamill, can you please take us to
25 page 63.

O5T3MEN3

Coughlin - Direct

1 Q. Directing your attention to this next line at 11:17 a.m.

2 What type of files does Nadine send Uribe?

3 A. They're photos.

4 Q. Let's look at these photos.

5 MR. MONTELEONI: Mr. Hamill, can you please put up to
6 the left Government Exhibit B209-C and to the right B209-D.

7 Q. So, Special Agent Coughlin, directing your attention to
8 B209-C which is on the right first. Please read the top line
9 of handwriting on that piece of paper?

10 A. Yes. It says \$18,514.12.

11 Q. Please read the next line of handwriting.

12 A. "Electronic wire."

13 Q. Please read the next line starting "to."

14 A. "To Wells Fargo Bank."

15 Q. Not going to ask you to read it all, but is there also bank
16 address and account information written there below?

17 A. Yes.

18 Q. Directing your attention to Government Exhibit B 209-D on
19 the left. Please read the handwritten name.

20 A. Yes. Nadine Arslanian.

21 Q. Whose address and phone number are written there?

22 A. That's hers. That's Nadine's.

23 MR. MONTELEONI: Mr. Hamill, can you please take that
24 down and put back up Government Exhibit 1302, page 63.

25 Q. So directing your attention to the next line after what we

O5T3MEN3

Coughlin - Direct

1 just looked at line 874. Can you please read Uribe's response
2 at 11:26 a.m.

3 A. "Okay. I will make it my business to talk to him."

4 Q. Directing your attention to the next line at 11:28 a.m.,
5 can you please read what Uribe writes to Nadine two minutes
6 later.

7 A. "This is a lot of money. He is going to cry like a baby."

8 Q. Directing your attention to the next line. What time did
9 Nadine write this message on the next line to Uribe?

10 A. June 15 at 6:09 p.m.

11 Q. I am not going to ask you to read this all. Can you please
12 read the first few sentences from "thank you Jose" to "one
13 hundredfold."

14 A. "Thank you Jose. I did not make up the figure. It came
15 straight from the mortgage company. They will not even take
16 payments on it. I never forget when someone is there for me in
17 bad times. Never. And I end up paying them back one
18 hundredfold."

19 Q. Please read the next several sentences from "I will show
20 him to president of Egypt."

21 A. "I will show him the letter from the mortgage company.
22 This is nothing to him. It's everything to me. Plus I saved
23 him \$15,000 at least that he was willing to give Karriann and
24 he would never seen that money back. When I feel comfortable
25 and plan the trip to Egypt, he will be more powerful than the

O5T3MEN3

Coughlin - Direct

1 president of Egypt."

2 Q. So, this text was sent on June 15, 2019, you just read.

3 How long was it after as you read previously before the break

4 Hana told Helmy and talked about meeting him in Cairo in late

5 March of 2019?

6 A. It's now a few months later. Three months later.

7 Q. How long was it after, as you read before the break, Nadine

8 said he was so upset about halal talk that he forgot to give

9 you official invitation to visit Egypt on May 21, 2019?

10 A. Less than a month.

11 Q. Directing your attention to the next paragraph beginning "I

12 have never asked." Please read down to "pay him back."

13 A. "I have never asked for anything in the last 2 years. What

14 I have done as priceless. I would never have asked if I wasn't

15 in this situation I am now. I will pay him back."

16 Q. Where she writes what I have done as priceless, does Nadine

17 Arslanian explain anywhere in this text what she's done?

18 A. No.

19 Q. Directing your attention to the next line, line 877, what

20 does Uribe do at 10:35 p.m.?

21 A. He forwards those messages from Nadine to Wael Hana.

22 Q. The messages we've just read on the line above?

23 A. Exactly, yes.

24 MR. MONTELEONI: Mr. Hamill, can you please take us to

25 page 64.

O5T3MEN3

Coughlin - Direct

1 Q. Directing your attention to June 17, 2019 at 9:35 p.m.

2 Line 878. Can you please read what Uribe texts to Nadine.

3 A. "But you should answer calls girl. Wael is complaining
4 that he called and you don't answer. I'm trying to help. Call
5 Wael and set the time with him. I will be there."

6 Q. So, not going to ask you to read them all, but are there
7 some other messages between Nadine and Uribe in the next few
8 lines?

9 A. Yes.

10 Q. So skipping down to line 888. Who does Nadine text then?

11 A. She texts Menendez.

12 Q. Can you please read what she texts.

13 A. "I wish Sabine wasn't here tonight. Will is playing
14 games."

15 Q. Directing your attention to the first 10:15 p.m. message on
16 the next line 889. Can you please read Menendez's response.

17 A. "Well, if you want to talk I'm almost home. But if not we
18 can talk tomorrow."

19 Q. Directing your attention to the next two lines. Can you
20 please read what Nadine texts to Menendez at 10:15 and
21 10:18 p.m. in order

22 A. She says "I'm wide awake now. I'll call you in five."

23 Q. Please read what Menendez writes at 10:19 p.m.

24 A. "Okay. Home."

25 Q. Directing your attention to the next line, line 894. What

O5T3MEN3

Coughlin - Direct

1 time was that sent?

2 A. That was sent at 10:39 p.m.

3 Q. About how long was that after Menendez texted "okay home"
4 to Nadine?

5 A. That's 20 minutes.

6 Q. Please read what Nadine texts Menendez at 10:39 p.m.

7 A. "I don't know what I would do without you. I love you mon
8 amour de la vie." With a heart, a kiss, and then two heart
9 emojis.

10 MR. MONTELEONI: Now, Mr. Hamill, can you please take
11 us to page 66.

12 Q. Skipping ahead a few days and directing your attention to
13 June 19, 2019, on line 909 showing 2:03 p.m. Can you please
14 read what Hana writes to Uribe.

15 A. "6:30 okay."

16 Q. Directing your attention to the first 2:08 message on the
17 next line. Please read Uribe's response.

18 A. "The three of us brother."

19 Q. Directing your attention two lines down to 2:10 p.m.,
20 please read what Uribe writes to Hana.

21 A. "Ask here."

22 Q. Sorry. And one line below that, Uribe writes to Hana?

23 A. "We good. Let's clear this thing up today."

24 Q. Directing your attention to the next line 6:10 p.m., can
25 you please read what Hana texts to Uribe.

O5T3MEN3

Coughlin - Direct

1 A. "90 The Promenade, Edgewater, New Jersey 07020."

2 Q. Two lines down, what does Nadine Arslanian text Uribe at
3 7:01 p.m.?

4 A. She says "it is the Fleming's Steakhouse."

5 Q. Have you Googled the Fleming's Steakhouse in Edgewater, New
6 Jersey?

7 A. Yes, I have.

8 Q. What's the address?

9 A. 90 The Promenade.

10 Q. Directing your attention to 10:35 p.m. the next line on
11 916. Who does Nadine text?

12 A. She texts Wael and Jose Uribe.

13 Q. Can you please read what she texts to Hana and Uribe.

14 A. "It was nice having dinner together. Thank you."

15 MR. MONTELEONI: Mr. Hamill, can you please take us to
16 page 67 of Government Exhibit 1302.

17 Q. Directing your attention to 2:44 p.m. on June 22, 2019, at
18 the top of that page. Who does Nadine text?

19 A. She texts Jose Uribe.

20 Q. Please read the first paragraph of the text down to
21 "perfect status."

22 A. "I know you feel uncomfortable in the middle of Wael and I.
23 And I definitely don't want you to feel that way. I had
24 already spoken to them and they assured me 100 percent and are
25 mailing me the paperwork that if by Friday the moneys were

O5T3MEN3

Coughlin - Direct

1 electronically deposited, they gave me the account number at
2 the bank, all the information necessary, that everything would
3 be back 100 percent to perfect status."

4 Q. Please read the four sentences from "I made that very
5 clear" to "hoping he did."

6 A. "I made that very clear at Fleming's. All the information
7 were on the two pieces of paper I handed over. So if he did
8 not do it, I don't know. I am hoping he did."

9 Q. Skipping a few lines down, drawing your attention to
10 10:48 p.m. on June 23, 2019. What does Nadine text?

11 A. Menendez.

12 Q. Please read the first paragraph of the text down to "keep
13 him happy."

14 A. "I woke up around 4:30 a.m. thinking of how Will said Fred
15 is moving out of his new office and building the upper floor
16 for Will because he is in desperate need of money, and how Fred
17 sold five of his cars in the last three months because he was
18 in need of money, and that Will is helping him so much that
19 Fred is even sharing Jamela with him as secretary to keep him
20 happy."

21 Q. Please read the next two paragraphs from "with all I did
22 down" to "sent overseas."

23 A. "With all I did every day for him, to say that I did
24 nothing is beyond hurtful. I was so stupid even at the
25 inauguration to bring him in pictures with you and Cory that he

O5T3MEN3

Coughlin - Direct

1 immediately sent overseas."

2 Q. Can you please read the rest of the text.

3 A. "And to tell Ahmed that we are partners" three exclamation
4 points "and get all the money and contracts because of me and
5 now I'm useless and so is Fred until his case is over. I am so
6 stupid and gullible. You would think I would be less trusting
7 by now."

8 Q. Directing your attention to 11 a.m., can you please read
9 Menendez's response.

10 A. "Mon amour I told you to leave this alone. Don't worry.
11 Love you." Emojis.

12 MR. MONTELEONI: Mr. Hamill, please take us to
13 page 68.

14 Q. Directing your attention to the bottom of page 68 to
15 1:32 a.m. on June 27, 2019. Line 944. Who does John Moldovan
16 send an e-mail to?

17 A. He sends an e-mail to Nadine Arslanian.

18 Q. Let's look briefly at the e-mail.

19 MR. MONTELEONI: Mr. Hamill, can you please put up
20 Government Exhibit 4C-1-D.

21 Q. Special Agent Coughlin, can you please read the date.

22 A. Yes. The date is June 27, 2019.

23 Q. How long is that after the June 19, 2019, dinner at
24 Fleming's we saw referenced in the text messages a few minutes
25 ago?

O5T3MEN3

Coughlin - Direct

1 A. That's eight days.

2 Q. Let's just remind the jury of what's attached to this
3 e-mail.

4 MR. MONTELEONI: Mr. Hamill, can you please take us to
5 page 4.

6 Q. And Special Agent Coughlin, directing your attention to the
7 bottom of the first paragraph. How much money would Nadine be
8 promising to pay if this agreement were signed?

9 A. \$18,514.12.

10 Q. Let's return to the timeline.

11 MR. MONTELEONI: Mr. Hamill, please put back
12 Government Exhibit 1302, page 69.

13 Q. Directing your attention to line 945. On June 27, 2019, at
14 9:55 a.m., can you please read the quoted text that Nadine
15 Arslanian sends John Moldovan.

16 A. "Good morning John. I just got this delivered. They are
17 adding July on there. It says due date July 1st."

18 Q. So we don't need to show the jury the document again but
19 directing your attention to the detail cell. How much does the
20 new mortgage statement say is now due?

21 A. The total is \$20,164.27.

22 Q. How does that compare to the \$18,514.12 number that was
23 handwritten on the piece of paper that Nadine texted to Jose
24 Uribe on June 15?

25 A. It's about 1500 more dollars.

05T3MEN3

Coughlin - Direct

1 Q. So, Special Agent Coughlin, directing your attention to
2 12:59 p.m., line 949, on June 27, 2019. Please read what Uribe
3 texts Nadine.

4 A. "Sister you have to go sign the papers and save your home.
5 Just sign and move on. Stop the fighting. You have to go to
6 Clifton."

7 Q. How long does Uribe text that after John Moldovan's
8 11:38 a.m. text two lines up?

9 MR. WEITZMAN: Objection, your Honor.

10 MR. MONTELEONI: You can read that, sorry. Withdrawn.

11 Q. Special Agent Coughlin, can you please go two lines up to
12 9:47 a.m. and read what John Moldovan texts to Nadine.

13 A. "Hi Nadine. I'm at Wael office. He needs you to sign the
14 note I e-mailed you ASAP."

15 Q. Now how long is Jose Uribe's text after that text from John
16 Moldovan?

17 MR. WEITZMAN: Objection, your Honor. I think
18 everybody knows how long the difference of an hour and 20.

19 THE COURT: So you said. Go ahead. It's on the
20 record.

21 Q. So, skipping two lines down, can you please read what
22 Nadine texts to Menendez on June 27, 2019 at 2:56 p.m.

23 A. "No questions mon amour. No bad test results. Please when
24 you get a break do a prayer just for me. The past hour has
25 been very hard to deal with. I wish it was tomorrow already

O5T3MEN3

Coughlin - Direct

1 but please just do a prayer to get me through today. I wish I
2 had never, ever met Will."

3 Q. Is there an extra "ever" in there?

4 A. Yes. Never, ever, ever met Will.

5 Q. Directing your attention to 2:59 p.m. Please read
6 Menendez's response.

7 A. "I try not to ask questions but when you ask me to say a
8 prayer I know something has happened. Did you see Will?"

9 Q. Directing your attention to the next line. Please read
10 what Menendez texts at 4:24 p.m.

11 A. "Said a prayer. Always hard when you don't know what
12 you're asking for."

13 Q. Directing your attention to the next two lines. Can you
14 please read what Nadine texts Menendez at 4:34 p.m. and also
15 4:37 p.m. in order.

16 A. "No. I didn't see him. I heard from someone who is now
17 working with him. No use getting more upset if at all possible
18 to get more upset. I put Will in the same category as
19 asshole."

20 Q. Now, let's look at what happens next.

21 MR. MONTELEONI: Mr. Hamill, can you please take us to
22 page 70 of Government Exhibit 1302.

23 Q. So Special Agent Coughlin, directing your attention to the
24 line, this large line at the top of 1302. Who does Nadine
25 leave a voice message for at 10:33 a.m. on June 28?

O5T3MEN3

Coughlin - Direct

1 A. Fred Daibes.

2 Q. I want to play that voice message but first let's look at
3 something.

4 MR. MONTELEONI: Mr. Hamill, can you please put up
5 Government Exhibit 1435, page 19. I'll read from paragraph 19.

6 The physical exhibit marked for identification as
7 Government Exhibit D100 is a cell phone assigned the call
8 number ending in 2222 which the FBI lawfully seized from Fred
9 Daibes on September 22, 2023, pursuant to a court-authorized
10 search warrant. Government Exhibit D100 is referred to in this
11 stipulation as the Daibes 2222 cell phone.

12 Mr. Hamill, can you please take us to page 20. I'll
13 now read from paragraph 19(c).

14 The documents marked for identification as Government
15 Exhibits D108 through D111 are true and correct copies of
16 reports of voice messages extracted from the Daibes 2222 cell
17 phone.

18 Now let's look briefly at this report. Mr. Hamill,
19 can you please put up Government Exhibit D108.

20 Q. Special Agent Coughlin, can you please read the time stamp.

21 A. Yes. 6/28/2019, 2:33:44 p.m. UTC plus zero.

22 Q. Does that convert to 10:33 a.m.?

23 A. Exactly, yes. Eastern.

24 Q. And so over in the source field, after the word source file
25 and the colon, is there a lengthy file path with a bunch of

O5T3MEN3

Coughlin - Direct

1 slashes?

2 A. There is, yes.

3 Q. Directing your attention to the part before the first
4 slash. There are a long series of numbers and a few letters.

5 Can you please read from the underscore up to that first slash?

6 A. _files_full.zip.

7 Q. Do you know what a dot-zip extension means?

8 A. Yes.

9 Q. What's a dot-zip file?

10 A. It a file format, in which you compress a number of files
11 into a smaller single file.

12 Q. So we'll come back to that zip file, but I'd like to play
13 the voice message.

14 MR. MONTELEONI: With the Court's permission I'd like
15 to ask Mr. Hamill to put up Government Exhibit D108-A-TR as an
16 aid to the jury. Mr. Hamill, if you can put that up and play
17 Government Exhibit D108-A when you're ready.

18 THE COURT: Same instructions, ladies and gentlemen.
19 It is an aid.

20 (Audio playing)

21 MR. MONTELEONI: Mr. Hamill, can you please put up
22 Government Exhibit 1302 and take us to page 70.

23 Q. When Nadine says "I will tell Bob on Friday after we get
24 back because I'm not telling him on the trip," have you
25 reviewed any travel records for Robert Menendez or Nadine

O5T3MEN3

Coughlin - Direct

1 Arslanian?

2 A. Yes, I have.

3 Q. Directing your attention a few lines down. Do the records
4 reflect any travel by Menendez or Arslanian on June 28, 2019,
5 the date of that voice message?

6 A. The travel records reflect they fly from Newark to Panama
7 City.

8 Q. Then going back up, by the way, two lines where John
9 Moldovan -- can you please read what John Moldovan texts on
10 line 957.

11 A. "Nadine, did you review the note I sent you."

12 Q. What's the date and time of that line?

13 A. June 28, 2019, at 11:53 a.m.

14 Q. Directing your attention to the next line, where Nadine
15 replies. Please read first the date and time.

16 A. Yes, June 28, 2019, at 3:04 p.m.

17 Q. Can you read the reply, please.

18 A. "I am not in the country. Left right after the MRI."

19 Q. So you testified that the dates -- that the records,
20 rather, reflect that Menendez and Arslanian left the country on
21 June 28, 2019. Directing your attention down to line 961.
22 What do the travel records reflect regarding what date they
23 returned?

24 A. It reflects they returned on July 5 from Bogota Airport.

25 Q. The voicemail we just listened to said "So I'll tell Bob on

O5T3MEN3

Coughlin - Direct

1 Friday after we get back." What day of the week is July 5,
2 2019?

3 A. Friday.

4 Q. By the way, did you look at certain phone records
5 associated with Nadine Arslanian for prior to this June 28,
6 2019, phone call to Fred Daibes?

7 A. I did, yes.

8 MR. MONTELEONI: Mr. Hamill, can you please put up
9 Government Exhibit 1305 and take us to the second page.

10 Q. Directing your attention to the line for Menendez, Nadine
11 formerly Arslanian, Nadine. You show phone records for both of
12 the phone numbers listed there?

13 A. Yes.

14 Q. Do those phone records go back to June 2019?

15 A. Yes.

16 Q. Directing your attention to the 1745 number in particular.
17 Those records go back a number of years before June 2019?

18 A. Yes.

19 Q. Were you also shown records for another phone number that
20 Nadine Arslanian left a voicemail from?

21 A. Yes.

22 Q. And in preparing to testify today, were you asked to look
23 for certain calls in all those phone records I just mentioned?

24 A. Yes.

25 MR. MONTELEONI: Mr. Hamill, can you please take us to

O5T3MEN3

Coughlin - Direct

1 the first page of Government Exhibit 1305 and expand the
2 entries for Daibes, Fred that have text in them. The ones with
3 phone numbers and the name.

4 Q. So, directing your attention to those phone numbers. Did
5 you look for each of those phone numbers in the Nadine
6 Arslanian phone records we just mentioned before June 28, 2019?

7 A. I did, yes.

8 Q. What did you find?

9 A. I found I believe there were four total calls, so we're
10 talking about July -- June 2019, I believe there were maybe two
11 in April of '19 and then two in September of '18, and the calls
12 were very short. One was just more than two minutes and the
13 others were all shorter than that.

14 Q. By the way, when you say about four, are you totally
15 confident the precise number?

16 A. I'm pretty sure it was four.

17 Q. Let's move ahead a few days after that voice message where
18 Nadine says "I'll tell Bob on Friday."

19 MR. MONTELEONI: Mr. Hamill, can you please take us to
20 page 71 of Government Exhibit 1302.

21 Q. Directing your attention to line 964, for July 16, 2019, so
22 first, how long is July 16, 2019, after the travel records
23 reflect that Menendez and Nadine returned to the country?

24 A. It's 11 days.

25 Q. Directing your attention to July 16, 2019, can you please

O5T3MEN3

Coughlin - Direct

1 read the quoted portions of what Nadine Arslanian texts to
2 Menendez.

3 A. "After Sunday night I will not let anything destroyed my
4 plans. After got off the phone with you last night, I did more
5 than that 19 remaining minutes to complete the hour on the
6 treadmill. I double checked about the payments and kept
7 retracing the bracelet. I know there are going to be
8 circumstances that will make me unhappy but it will be a matter
9 of minutes. I will not waste any more days being upset holding
10 garages. Life is too short and I am not going to be the reason
11 to upset you or relationship or my day."

12 Q. Where Nadine Arslanian writes "I double checked about
13 payments," does she specify what payments she's talking about?

14 A. No.

15 Q. Bringing your attention to Menendez's response in the next
16 line 9:41 a.m. How long is that after Nadine texted him?

17 A. Just a few minutes, three minutes later.

18 Q. Please read Menendez's response.

19 A. "Mon amour, this is the absolute best thoughts I have heard
20 from you since I know you other than that you love me."

21 Exclamation point. "Please continue to think this way and the
22 future will be a wonderful one." Heart emoji.

23 Q. In his response, does Menendez ask what payments Nadine's
24 talking about?

25 A. No.

O5T3MEN3

Coughlin - Direct

1 Q. So directing your attention later that day, on line 966,
2 can you please read what Moldovan texts to Nadine Arslanian.

3 A. "Hi Nadine. I called earlier with no answer. I am still
4 awaiting your response on the money from Will."

5 Q. What time was it when Moldovan sent that?

6 A. 5:26 p.m.

7 Q. Directing your attention to the next line, line 967, where
8 can you please read Nadine Arslanian's response.

9 A. "Good morning John. I have no idea what response you are
10 waiting for."

11 Q. What date and time was that?

12 A. It is the next morning, July 17, 7:47 a.m.

13 Q. Let's look what happens later that morning. Directing your
14 attention to the next line. Who does Robert Menendez call at
15 10:06 a.m. that morning?

16 A. He calls Nadine.

17 Q. How long does that call last?

18 A. Two minutes and 57 seconds.

19 Q. Directing your attention to the line after that, who does
20 Nadine call at 10:43 a.m. after receiving that call from
21 Menendez?

22 A. She calls Fred Daibes.

23 Q. About how long is this 10:43 a.m. call from Nadine to Fred
24 Daibes?

25 A. 39 seconds.

O5T3MEN3

Coughlin - Direct

1 Q. Directing your attention to the next line, line 970. Can
2 you please read the first word in the detail cell?

3 A. Voicemail.

4 Q. Who does Nadine leave a voicemail for?

5 A. For Fred Daibes.

6 MR. MONTELEONI: I'd like to listen to the voicemail.
7 With the Court's permission I'd like to put up Government
8 Exhibit D109-A-TR as an aid to the jury.

9 THE COURT: Same instruction, ladies and gentlemen.
10 You know it by now.

11 MR. MONTELEONI: Mr. Hamill, can you play Government
12 Exhibit D109-A when you're ready.

13 (Audio playing)

14 Q. Special Agent Coughlin, did you review phone records for
15 Nadine Arslanian in preparation for testifying?

16 A. Yes.

17 MR. MONTELEONI: Mr. Hamill, can you please put back
18 up Government Exhibit 1302, page 71.

19 Q. So, where Nadine says in the voicemail to Fred Daibes "I
20 just got a phone call asking me to give you a call," about how
21 many calls did the Nadine Arslanian cell phone engage in
22 between receiving a call from Menendez and placing a call to
23 Daibes?

24 A. There weren't any calls.

25 Q. Let's see what happens over the next few minutes.

O5T3MEN3

Coughlin - Direct

1 Directing your attention to the next line, line 971, where John
2 Moldovan sends a long text that the jury's seen already ending,
3 "As you can see above, tried to follow up a couple times but
4 assume based on your conversation and your lack of response you
5 are no longer interested in receiving funds."

6 What time is that text?

7 A. 10:46 a.m.

8 Q. Skipping over a line going down to line 973. Directing
9 your attention to where John Moldovan writes "I've been
10 instructed to transfer the funds and I'm working on that now."

11 What time does he send that message?

12 A. 10:48 a.m.

13 Q. About how much time is there between those two messages?

14 A. Two minutes.

15 Q. Let's look at what else was happening just then. Going
16 back up a line. Who calls Nadine at 10:47 a.m.?

17 A. Fred calls Nadine.

18 Q. How does that time compare to the time that John Moldovan
19 says he's been instructed to transfer the funds?

20 A. It is a minute before. The call is a minute before
21 Moldovan's text.

22 Q. How long does Daibes' call to Nadine last?

23 A. One minute and 20 seconds.

24 Q. The call starts at 10:47 a.m. and lasts for one minute and
25 20 seconds. About when does it end?

O5T3MEN3

Coughlin - Direct

1 MR. WEITZMAN: Objection, your Honor.

2 THE COURT: I'll allow him to answer.

3 A. It would end at 10:48 or 10:49.

4 MR. MONTELEONI: So now Mr. Hamill, can you please
5 take us to page 72, Government Exhibit 1302.

6 Q. Directing your attention to line 974. Who does Nadine text
7 at 10:50 a.m.?

8 A. She texts Menendez.

9 Q. So about how long is that after she gets off the phone with
10 Daibes?

11 A. Just a few more minutes. Two minutes, or yeah, two
12 minutes.

13 Q. Please read that full text.

14 A. "I am the luckiest woman on the entire planet. So happy,
15 so positive, so motivated. So, so thankful for all my
16 blessings. You are going to be surprised at to how much I have
17 accomplished since Monday. Fred just called me back. I will
18 follow up."

19 Q. Let's go to that afternoon. Directing your attention to
20 the next line at 4:01 p.m. Who does John Moldovan e-mail?

21 A. Kristen Bleiweis.

22 Q. Can you remind the jury where they've seen Kristen
23 Bleiweis's name before?

24 A. Yeah. On the foreclosure document.

25 Q. This e-mail the jury's seen before where John Moldovan

O5T3MEN3

Coughlin - Direct

1 writes "My client has an investor interested in purchasing the
2 loan from your client at a discount." Who's copied?

3 A. Wael Hana and Jamela Maali.

4 Q. On line 977 where John Moldovan writes "East-West Funding
5 LLC is the investor and is willing to purchase the instrument
6 at face value."

7 What time is that e-mail?

8 A. That's at 4:39 p.m.

9 Q. About how long is that after Nadine leaves the voicemail
10 from Fred Daibes saying "I just got a call asking me to call
11 you back" at 10:44 a.m.?

12 A. That's about six hours.

13 Q. About how long is that after Nadine wrote to Menendez,
14 "Fred just called me back, I'll follow up" at 10:50 a.m.?

15 A. A little less than six hours.

16 Q. Let's look at what happens the next day. Directing your
17 attention to line 979. About 2:43 p.m. p.m. on July 18, 2019,
18 who calls Nadine at that time?

19 A. Menendez called.

20 Q. For about how long?

21 A. Five minutes and 42 seconds.

22 Q. Directing your attention to the next line at 2:49 p.m. Who
23 does Nadine call then?

24 A. She calls Menendez.

25 Q. For how long does that call last?

O5T3MEN3

Coughlin - Direct

1 A. For two minutes and 18 seconds.

2 Q. Directing your attention to the next line, at 3:06 p.m.
3 Who does Nadine leave a voice message for?

4 A. She leaves a voicemail again for Fred.

5 Q. About how long does Nadine leave the voicemail for Fred
6 after she gets off the phone with Menendez in the previous
7 line?

8 A. It's about 15 minutes later.

9 MR. MONTELEONI: Now like to play the voicemail and,
10 again, with the Court's permission, I'd like to ask Mr. Hamill
11 to put up Government Exhibit D110-A-TR as an aid to the jury.

12 THE COURT: Yes.

13 MR. MONTELEONI: Mr. Hamill, you can put that up and
14 play Government Exhibit D110-A when you're ready.

15 (Audio playing)

16 MR. MONTELEONI: Mr. Hamill, can you please take us
17 back to Government Exhibit 1302, page 72, where Nadine says in
18 the voicemail "Bob called me today to find out if the
19 everything's been taken care of."

20 Q. About how long was that after the call from Robert Menendez
21 to Nadine Arslanian at 2:43 p.m.?

22 A. About 23 minutes.

23 Q. Directing your attention to line 984 the next day.

24 11:30 a.m. Who e-mails John Moldovan at 11:30 and says "My
25 client's not interested in selling the note"?

O5T3MEN3

Coughlin - Direct

1 A. Kristen Bleiweis.

2 Q. You previously said that Moldovan said that East-West
3 Funding is the investor who wants to purchase the note.

4 If East-West Funding had purchased the note, who would
5 Nadine Arslanian owe mortgage payments to?

6 MR. WEITZMAN: Objection, your Honor.

7 THE COURT: Sustained.

8 Q. So, directing your attention to line 985. Who does
9 Moldovan e-mail saying "Please let Fred know they declined the
10 option to sell even at face value"?

11 A. Moldovan e-mails Jamela Maali with Wael Hana cc'd.

12 Q. Have you seen documents where Jamela Maali is using a
13 signature block of any company other than IS EG Halal?

14 A. I don't recall. I may have.

15 MR. MONTELEONI: Okay. So, Mr. Hamill, can you please
16 take us to page 73, Government Exhibit 1302.

17 Q. Directing your attention to July 19, 2019, at 5:11 p.m.
18 How long was this WhatsApp message sent from Hana to Daibes
19 after John Moldovan e-mailed Jamela Maali saying they advised
20 they'll provide a payment statement ASAP at 12:50 p.m.?

21 A. It's about five hours later, four hours.

22 Q. Let's look at what the chart indicates is attached to this
23 message from Hana to Daibes.

24 MR. MONTELEONI: Mr. Hamill, can you please put up
25 Government Exhibit D207-A.

O5T3MEN3

Coughlin - Direct

1 Q. Special Agent Coughlin, directing your attention to the
2 letterhead. Please read the letterhead title at the top
3 center.

4 A. McCalla Raymer Leibert Pierce, LLC.

5 Q. How does that name compare to the name that was printed
6 under Kristen Bleiweis's name on the foreclosure complaint?

7 A. It is the same.

8 Q. Directing your attention a few lines down to the left. Who
9 is this addressed to?

10 A. John Moldovan, Esquire.

11 Q. Few lines down. Who is the borrower?

12 A. Nadine Arslanian.

13 MR. MONTELEONI: Mr. Hamill, can you please take us to
14 page 4.

15 Q. Directing your attention to the middle left of this page.
16 Can you please read the date and time on this image of receipt.

17 A. Yes. 4:44 p.m., July 19, 2019.

18 MR. MONTELEONI: And Mr. Hamill, can you please take
19 us to page 5 of Government Exhibit D207-A.

20 Q. Special Agent Coughlin, can you please read the amount of
21 this cashier's check to Nationstar Mortgage LLC d/b/a
22 Mr. Cooper?

23 A. \$23,568.54.

24 Q. So this document that we've been looking at, including the
25 letter from the foreclosure attorney's law firm, the image of

O5T3MEN3

Coughlin - Direct

1 the receipt, and the image of the cashier's check, please
2 remind the jury who Hana texted this to?

3 A. I don't recall.

4 Q. Let's go take a look.

5 MR. MONTELEONI: Mr. Hamill, can you go put back up
6 Government Exhibit 1302, page 73.

7 Q. Directing your attention to line 986. Who did Hana text
8 these documents to through WhatsApp?

9 A. He texted it to Fred Daibes.

10 Q. Let's jump ahead a month or so.

11 MR. MONTELEONI: Mr. Hamill, can you please publish
12 Government Exhibit 4E-1.

13 Q. So Special Agent Coughlin, directing your attention to the
14 top center, please read the large bold letters in the top three
15 lines?

16 A. Law Offices of Antranig Aslanian, Jr. P.C.

17 Q. Who is this letter to?

18 A. Mr. Wael Hana, IS EG Halal Certified Inc.

19 MR. MONTELEONI: Can you please put up page 2,
20 Mr. Hamill.

21 Q. Special Agent Coughlin, directing your attention to the
22 bottom of the text on the page to the right. Please read the
23 words under very truly yours.

24 A. Law Offices of Antranig Aslanian Jr. P.C., Antranig
25 Aslanian Jr.

O5T3MEN3

Coughlin - Direct

1 Q. Please read the words on the left after cc.

2 A. Cc Fred Daibes. Enclosure.

3 MR. MONTELEONI: Mr. Hamill, can you please take us
4 back to page 1.

5 Q. Special Agent Coughlin, directing your attention to the
6 first paragraph after Dear Mr. Hana. Can you please just read
7 that paragraph.

8 A. "During our recent meeting, which was facilitated and
9 attended by Mr. Daibes, you requested that I submit a written
10 proposal regarding the transfer of my 250 shares of stock in IS
11 EG Halal Certified, Inc., to the corporation and to otherwise
12 confirm our discussions regarding same during our meeting."

13 Q. Directing your attention to the last paragraph on the page.
14 Can you please read the first sentence of that paragraph.

15 A. "It is my understanding that General Ahmed has directed you
16 to effectuate the transfer of my stock as soon as is
17 practicably possible."

18 MR. MONTELEONI: Mr. Hamill, can you please take us to
19 page 2 again.

20 Q. Special Agent Coughlin, directing your attention to the
21 short paragraph right before "very truly year yours." Please
22 read that paragraph.

23 A. "After you have an opportunity to review the stock transfer
24 agreement with General Ahmed, please get back to me either
25 directly or through Mr. Daibes."

O5tWmen4

Coughlin - Direct

1 MR. MONTELEONI: Let's look at one more document on
2 this subject.

3 Mr. Hamill, please publish Government Exhibit 3C-1.

4 Q. Special Agent Coughlin, directing your attention to the top
5 center, could you please read the top line of the letterhead?

6 A. "IS EG Halal Certified Inc."

7 Q. Please read the first line of the address block to the left
8 above the re line?

9 A. Yes. "Antranig Aslanian Jr."

10 Q. Please read the re line.

11 A. "Re sale of stock to IS EG Halal Certified Inc."

12 Q. In the second full paragraph, could you please read the
13 first sentence, starting Mr. Aslanian currently holds?

14 A. "Mr. Aslanian currently holds 250 shares of IS EG Halal
15 Certified Inc. stock."

16 Q. Please read the next sentence starting upon receipt.

17 A. "Upon receipt of the four checks described below, totaling
18 \$180,000, Mr. Aslanian shall immediately endorse, transfer and
19 deliver the stock certificate evidencing his ownership to the
20 designated principal of IS EG Halal Certified Inc. to be held
21 in escrow by Fred Daibes until all checks have cleared."

22 Q. Directing your attention to the second page, who is this
23 signed by?

24 A. It is signed by Wael Hana and Antranig Aslanian.

25 MR. MONTELEONI: Let's go back to the timeline.

O5tWmen4

Coughlin - Direct

1 THE COURT: It's 4 o'clock, and I want to give the
2 jury a brief break. Is this a logical time?

3 MR. MONTELEONI: Absolutely, your Honor.

4 THE COURT: All right. Ladies and gentlemen, let's
5 take a brief break so you can refresh yourselves. My deputy
6 will bring you back as soon as you feel comfortable.

7 (Continued on next page)

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O5tWmen4

Coughlin - Direct

1 (Jury not present)

2 THE COURT: You may step down, sir.

3 (Witness present)

4 THE COURT: All right. Ten minutes. Ten minutes.

5 I'll come back and we'll proceed.

6 (Recess)

7 THE COURT: All right. Let's get the lawyers in.

8 Government.

9 MR. MONTELEONI: I'm not sure where my colleagues are,
10 but I can represent the government if there's something you
11 need right now. I think they're coming.

12 THE COURT: Are you prepared to proceed?

13 MR. MONTELEONI: Yes.

14 THE COURT: All right.

15 (Continued on next page)

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O5tWmen4

Coughlin - Direct

(Jury present)

THE COURT: Please be seated in the courtroom.

We'll go through until 5 p.m.

Continue, sir.

MR. MONTELEONI: Thank you, your Honor.

Mr. Hamill, could you please put back up Government Exhibit 1302 and take us to page 74.

Q. Directing your attention to line 991 on July 30, 2019, 3:49 p.m., who does Nadine text?

A. She texts Menendez.

Q. Can you please read the description in the details field. You don't have to read the government exhibit citations.

A. "Forwards screenshot of texts from Damian Kazazian saying that if Daibes is interested in selling his bank, he has someone who may be interested in buying."

Q. Directing your attention to the next line, line 992, can you please read Menendez's response at 3:51 p.m.?

A. "Well, when you call Fred to give him your company name, you can mention it to him. I would simply say I don't know if this is true but I just wanted you to know and then tell him what Damian said."

Q. Directing your attention down to line 994, could you please read what Nadine writes to Menendez at 5:30?

A. She writes, "I left Mike a voice mail and I also left Fred a voice mail regarding Damian's text and the name of the

O5tWmen4

Coughlin - Direct

1 consulting company."

2 Q. Directing your attention to the next line, line 995, can
3 you please read the quoted text that Nadine sends Menendez two
4 minutes later?

5 A. "I did not send him account number."

6 MR. MONTELEONI: Let's look at the attachment.

7 Mr. Hamill, could you please put up Government Exhibit
8 A101I.

9 Q. Special Agent Coughlin, what is handwritten at the top of
10 the check that is pictured here?

11 A. It says Strategic International Business Consultants LLC.

12 Q. Directing your attention to the bottom right of the check,
13 to the number ending 8817, I'm not going to ask you to read it
14 out loud, but have you checked to see how it compares to
15 Strategic International Business Consultants' bank account
16 number?

17 A. Yes.

18 Q. What did you find?

19 A. It's the same.

20 MR. MONTELEONI: Let's turn to the timeline.

21 Mr. Hamill, can you please put up Government Exhibit
22 1302, page 74.

23 Q. Now, directing your attention to line 996, on August 1,
24 2019, at 10:05 a.m., could you please read what Nadine texts
25 Menendez?

O5tWmen4

Coughlin - Direct

1 A. She writes: "I wish I could snap my fingers and hear from
2 both Mike and Fred that everything is OK. That will alleviate
3 a lot of anxiety. But last night's meeting and hopefully the
4 answers on the 9th will make life 85 percent positive and happy
5 every day."

6 MR. MONTELEONI: Mr. Hamill, could you please take us
7 to page 75.

8 Q. Special Agent Coughlin, directing your attention to line
9 997, on August 2, 2019, at 3:42 p.m., could you please read
10 what Nadine texts Menendez?

11 A. "I bought the witch hazel and the Grand Marnier, but I
12 could not find a consulting contract at Staples. They have
13 many contracts but not one for consulting. I'm going to go
14 online and see if I find one."

15 Q. So where she says I could not find a consulting contract at
16 Staples, do you know what Staples is?

17 A. Yes. It's an office supply store.

18 Q. All right. I'm not going to ask Mr. Hamill to put it up,
19 but what's shown in this picture that Nadine sends Menendez?

20 A. It's a picture of Grand Marnier and witch hazel.

21 Q. Directing your attention to the next line, line 998, could
22 you please read Menendez's response at 4:18 p.m.?

23 A. *"Oui, merci.* Look under Legal Zoom for contract."

24 Q. Do you know what the Legal Zoom website is?

25 A. Yes. It's a website you can go for legal advice, but it's

O5tWmen4

Coughlin - Direct

1 primarily basic legal documents you can get from it.

2 Q. Directing your attention to the next line, line 999, please
3 read Nadine's reply.

4 A. "Found some," with what appears to be a tongue-out emoji.

5 Q. Now, before we turn to another document, could you please
6 note the date?

7 A. Yes. It's August 2, 2019.

8 MR. MONTELEONI: Mr. Hamill, could you please put up
9 what's in evidence as Government Exhibit 4C1-O.

10 Q. Special Agent Coughlin, what's the date of this email?

11 A. Monday, August 12, 2019.

12 Q. And how does that compare to the August 2 date that Nadine
13 texted Menendez she couldn't find a consulting contract at
14 Staples?

15 A. It's ten days later.

16 MR. MONTELEONI: Mr. Hamill, could you please put up
17 page 2 of Government Exhibit 4C1-O.

18 Now, the jury has seen this document. I'm not going
19 to ask you to read all of it out loud, but I do want to look at
20 one thing.

21 Mr. Hamill, could you please scroll down to the bottom
22 of the second page and the top of the third page so we can see
23 paragraph 2. I suppose, actually -- sorry. First of all,
24 could you go back up to the top of this, page 2.

25 Q. What company is defined as the consultant in the first

O5tWmen4

Coughlin - Direct

1 paragraph?

2 A. Sorry. Strategic International Business Consultants, LLC.

3 MR. MONTELEONI: Now, Mr. Hamill, if you could scroll
4 down so we can see all of paragraph 2.

5 Q. Now, can you please read the whole paragraph 2 out loud,
6 including the title?

7 A. "Consulting services. Consultant shall place its judgment
8 and experience at the disposal of the company. Consultant
9 shall devote such amount of its business time and efforts as
10 the parties reasonably deem necessary for the performance of
11 its duties hereunder."

12 Q. I'm not going to ask you to read this whole document out
13 loud, but about how much additional definition does this
14 contract provide for what the consultant is required to do for
15 the company?

16 A. It doesn't have any additional definition.

17 MR. MONTELEONI: Let's return to the chart and see
18 what happens a few days later.

19 Mr. Hamill, could you please put up Government Exhibit
20 1302, page 75.

21 Q. Directing your attention to line 1000, on August 16, 2019,
22 who does John Moldovan email at 2:51 p.m.?

23 A. Emails Jamela Maali and Wael Hana.

24 MR. MONTELEONI: The jury has seen this email, but I'd
25 like to show them briefly to remind them.

O5tWmen4

Coughlin - Direct

1 Mr. Hamill, could you please put up Government Exhibit
2 3C-9.

3 Q. Please just read the body text of that email.

4 A. Yes. "Pay to: Strategic International Business
5 Consultants, LLC, 41 Jane Drive, Englewood cliffs, New Jersey,
6 07632."

7 MR. MONTELEONI: And please take us to page 4,
8 Mr. Hamill.

9 Q. Are there any signatures on these lines?

10 A. They're not signed, no.

11 MR. MONTELEONI: I'd like to look at what happened
12 next.

13 Mr. Hamill, could you please put up to the right
14 Government Exhibit 5A-1001A and then, on the other side, if you
15 could put back up Government Exhibit 3C-9 and go to page 2.

16 Q. Directing your attention to the upper left corner of
17 5A-1001A of the words "125 River Road," could you please read
18 the bold company name above that?

19 A. IS EG Halal Certified Inc.

20 Q. Below that, after the words "pay to the order of," could
21 you please read what is written?

22 A. Strategic Intl. Business Consultants.

23 MR. MONTELEONI: You can unexpand that text,
24 Mr. Hamill.

25 Thank you.

O5tWmen4

Coughlin - Direct

1 Q. To the right of the words "Strategic Intl. Business
2 Consultants," after the dollar sign, could you please read the
3 amount that is written there?

4 A. "\$10,000."

5 Q. How does that amount compare to the monthly fee that's set
6 forth in paragraph 4 of the consulting agreement?

7 A. It's the same.

8 Q. And now, looking at the consulting agreement and directing
9 your attention to paragraph 3, dated -- title term, please read
10 the date that the term of the agreement starts.

11 A. Yes. It says it shall commence on September 1, 2019.

12 Q. Directing your attention to the check, Government Exhibit
13 5A-1001A, what's the date on the check?

14 A. August 30, 2019.

15 Q. Is there a time of day listed anywhere on the check, by the
16 way?

17 A. A time of day? Not on the check, no.

18 Q. About how long is the date of this check before September
19 1?

20 A. Two days.

21 Q. The top right of the check, could you please read the check
22 number?

23 A. Yes. It says 1055.

24 Q. And directing your attention to the memo line, please read
25 the memo line.

O5tWmen4

Coughlin - Direct

1 A. "WH/NA."

2 MR. MONTELEONI: Now, let's go to what happened after
3 that check was issued.

4 Q. Directing your attention to August 30 of 2019 --

5 MR. MONTELEONI: Well, sorry. I can't really direct
6 your attention yet, Special Agent. If you could hold for a
7 moment.

8 Mr. Hamill, could you please put up Government Exhibit
9 1302, page 75.

10 Q. Directing your attention to line 1002, can you please read
11 what Hana texts to Daibes at 10:57 a.m.?

12 A. "Morning. Any updates about the dinner meeting."

13 Q. Directing your attention to the first line marked 12:07
14 p.m., 1003, labeled missed WhatsApp voice call, who is this
15 missed WhatsApp voice call from?

16 A. Fred Daibes.

17 Q. Who is it to?

18 A. Wael Hana.

19 Q. Directing your attention to the next line, also labeled
20 12:07 p.m., could you please read the quoted message that
21 Daibes sends to Hana through WhatsApp?

22 A. "Going to meet with him now."

23 Q. Two lines down, at 1:57 p.m., could you please read what
24 Daibes wrote to Hana then?

25 A. "Meeting went well. Arranging dinner one night next week."

O5tWmen4

Coughlin - Direct

1 Q. About how long was it from when Daibes wrote to Hana going
2 to meet with him now to when he wrote to Hana meeting went
3 well?

4 A. It's a little less than two hours.

5 Q. You testified earlier there's no time written on this
6 check, 1055, that we were just looking at. Were you able to
7 tell just from looking at the check whether it was issued
8 before or after these texts from Daibes to Hana we were just
9 looking at?

10 A. No.

11 MR. MONTELEONI: Mr. Hamill, could you please put back
12 up to the left Government Exhibit 5A-1001A and go to page 2.

13 Q. Special Agent Coughlin, directing your attention to the top
14 left of the page, could you please read the words right above
15 the PNC Bank logo?

16 A. "Deposit ticket."

17 Q. A few lines down to the left, can you please read the
18 handwritten words next to the name?

19 A. "Strategic Intl. Business."

20 Q. On the bottom left of the ticket --

21 MR. MONTELEONI: If you could go, Mr. Hamill, to the
22 bottom left of the ticket.

23 Q. -- what is the handwritten amount after net deposit and the
24 dollar sign?

25 A. \$10,000.

O5tWmen4

Coughlin - Direct

1 Q. Now back up to the left of this ticket, on the line up
2 above the name line, what is the handwritten date after the
3 word "date"?

4 A. August 31, 2019.

5 Q. How does that date compare to the August 30 date that Fred
6 Daibes texted going to meet with him now and meeting went well?

7 A. The next day.

8 MR. MONTELEONI: You can take that check down now,
9 Mr. Hamill.

10 Thank you.

11 Q. So, directing your attention to line 1007, what does Wael
12 Hana WhatsApp to Daibes on August 30, 2019, at 1:57 p.m.?

13 A. He writes: "Do you know what day and where."

14 Q. Directing your attention to the 1:58 p.m. line, line 1008,
15 please read Fred Daibes's response?

16 A. "In New Jersey and he's going to text me when he gets to
17 his office."

18 MR. MONTELEONI: Moving to page 76, if you could take
19 us to page 76, Mr. Hamill.

20 Thank you.

21 Q. All right. So directing your attention to the first
22 September 1, 2019, line, line 1012, please read what Daibes
23 messages Hana at 1:10 p.m.

24 A. "Our friend would like to have dinner on Thursday night."

25 Q. Directing your attention to the next line, who does Hana

O5tWmen4

Coughlin - Direct

1 text on line 1013 at 1:14 p.m.?

2 A. He texts Ahmed Helmy.

3 Q. Can you please read what Hana sends to Helmy through
4 WhatsApp at 1:14 p.m.?

5 A. "Our friend would like to have dinner on Thursday night."

6 Q. How does that message compare to the message that Daibes
7 sent to Hana four minutes before?

8 A. It's the same.

9 Q. Directing your attention a few lines down, to line 1017,
10 could you please read what Hana sends Helmy at 1:16 p.m.?

11 A. "Edgewater. Either Fleming's or River Palm, up to you.
12 7/7:30."

13 Q. Directing your attention one line down, to line 1018,
14 please read Hana's 1:17 p.m. message to Helmy.

15 A. "OK. Fleming. Next to the office."

16 Q. Directing your attention to line 1021 -- sorry -- yes, 1021
17 at 11:03 a.m., can you please read what Hana texts Nadine
18 Arslanian?

19 A. Yes. "Call me."

20 Q. Directing your attention to the next line, line 1022, who
21 does Nadine Arslanian call at 12:03 p.m. on September 5, 2019?

22 A. She calls Menendez.

23 Q. Directing your attention a few lines down, to September 5,
24 2019, could you please read the first three quoted sentences of
25 the text up through tonight?

O5tWmen4

Coughlin - Direct

1 A. Yes.

2 Q. Sorry.

3 A. No. It's OK.

4 "I just spoke to Will. Very nice conversation. He will
5 not be at dinner to night."

6 MR. MONTELEONI: By the way, you previously read that
7 Daibes sent to Hana our friend would like to have dinner on
8 Thursday night.

9 Mr. Hamill, could you please put up Government Exhibit
10 10J-2 to one side. Could you expand September, please.

11 Q. Special Agent Coughlin, what day of the week was September
12 5, 2019?

13 A. A Thursday.

14 MR. MONTELEONI: You can take down the calendar,
15 please.

16 Thank you.

17 Q. Turning to page 77 of Government Exhibit 1302. All right.
18 So directing your attention to 12:10 p.m. on September 9, 2019,
19 please read what Hana sends to Nadine.

20 A. Yes. He sends an image of email invitation to Egyptian
21 Armed Forces Day, October 17, 2019, sent by Egyptian Defense
22 Office.

23 MR. MONTELEONI: Now I want to go over something that
24 happens that evening.

25 Q. All right. Directing your attention to line 1031, who

O5tWmen4

Coughlin - Direct

1 sends a message to Hana?

2 A. Ahmed Helmy.

3 Q. And how, what is the date and time that Helmy sends a
4 message to Hana?

5 A. September 9, 2019, at 7:48 p.m.

6 Q. About how long is that after Thursday, September 5, 2019?

7 A. It's four days later.

8 Q. And how long is this text after the August 31, 2019,
9 deposit of the \$10,000 check that we were just looking at?

10 A. It's nine days.

11 Q. So what does Helmy write in this 7:48 p.m. message?

12 A. He writes, "Is this true."

13 Q. Directing your attention to the next line, can you please
14 read the translation of Hana's response at 7:49 p.m.?

15 A. "I'll ask."

16 Q. Directing your attention to the next line, please read the
17 translation of Helmy's reply.

18 A. "Please."

19 Q. Directing your attention to the next line, could you please
20 read what Hana sends to Nadine Arslanian through WhatsApp at
21 7:49 p.m.?

22 A. "Is this true."

23 Q. About how long was that after Hana texted I'll ask to
24 Helmy?

25 A. Less than a minute.

O5tWmen4

Coughlin - Direct

1 Q. Directing your attention to the next line, at 7:51 p.m.,
2 about how much time passes before Hana calls Nadine?

3 A. Just two minutes.

4 Q. And how long does that call last?

5 A. Four seconds.

6 Q. Directing your attention to the next line, at 7:55 p.m.,
7 about how much time passes before Hana calls Nadine again?

8 A. Four minutes.

9 Q. How long does that second call last?

10 A. Two seconds.

11 Q. Directing your attention to the next line, at 7:56 p.m.,
12 who does Hana use WhatsApp to call?

13 A. Fred. Fred Daibes.

14 Q. About how long does that 7:56 p.m. WhatsApp call last?

15 A. It doesn't appear to connect. Zero seconds.

16 Q. Directing your attention to the next line, who does Hana
17 send a WhatsApp message to at 7:57 p.m.?

18 A. Nadine.

19 Q. All right. What does he write?

20 A. It's a question mark.

21 Q. About how long after he writes is this true does he follow
22 up with this question mark?

23 A. It's about eight minutes later.

24 Q. Now, directing your attention to the next line, who does
25 Hana make a WhatsApp call to at 8 p.m.?

O5tWmen4

Coughlin - Direct

1 A. Fred. Fred Daibes.

2 Q. About how much time passed between Hana's first zero-second
3 WhatsApp call that we just saw and this one?

4 A. Four minutes.

5 Q. How long does this 8 p.m. WhatsApp call with Daibes last?

6 A. That lasts one minute and 59 seconds.

7 Q. If that call lasts one minute and 59 seconds and starts at
8 8 p.m., about when did it end?

9 A. 8:02.

10 Q. Directing your attention to 8:02 p.m. on line 1041, who
11 does Fred Daibes call?

12 A. He calls Menendez.

13 Q. About how much time passed between Fred Daibes ending the
14 WhatsApp call with Hana and Fred Daibes calling Menendez?

15 A. Would be a matter of seconds.

16 Q. About how long does Daibes's call with Menendez last?

17 A. One minute, 19 seconds.

18 Q. If the call started at 8:02 p.m. and lasts for one minute
19 and 19 seconds, about when does Daibes's call to Menendez end?

20 A. It would end at 8:03 or 8:04.

21 Q. Directing your attention to the next line, what does Fred
22 Daibes do at 8:04 p.m.?

23 A. He then makes a WhatsApp call to Wael.

24 Q. About how much time passes between Daibes getting off the
25 phone with Menendez and Daibes calling Hana through WhatsApp?

O5tWmen4

Coughlin - Direct

1 A. I don't know for sure. Less than a minute.

2 Q. How long does Daibes's WhatsApp call back to Hana last?

3 A. 21 seconds.

4 Q. Directing your attention to the next line, at 8:05, about
5 how much time passes from when Hana receives Daibes's WhatsApp
6 call and when Hana sends a WhatsApp message back to Helmy?

7 A. A minute.

8 Q. Could you please read the translation of the message from
9 Hana to Helmy?

10 A. "Not true, and he knows nothing about it."

11 Q. About how much time passed between when Daibes got off the
12 phone with Menendez at 8:03 p.m. and when Hana sent Helmy not
13 true and he knows nothing about it at 8:05 p.m.?

14 A. Two minutes.

15 Q. Overall, about how much time passed between when Helmy
16 first sends the text asking is this true, at 7:48 p.m., and
17 when Hana texts Helmy not true, and he knows nothing about it?

18 A. Less than 20 minutes. 17 minutes.

19 MR. MONTELEONI: Let's look at a few things over the
20 next couple days.

21 Q. Directing your attention to line 1047, September 11, 2019,
22 7:06 a.m., please read what Hana sends to Daibes through
23 WhatsApp.

24 A. "Morning. Can you find out if he did make any phone call
25 about that message."

05tWmen4

Coughlin - Direct

1 Q. Turning to page 78, directing your attention to the next
2 day, on September 12, 2019, at 11:59 a.m., please read what
3 Daibes writes to Hana.

4 A. "Yes. He told me he took care of it."

5 Q. Directing your attention later that day, 1:22 p.m. on
6 September 12, first, who does Helmy use WhatsApp to send a
7 message to on line 1060?

8 A. Wael.

9 Q. And what does -- please read the translation of the text
10 that is visible here.

11 A. "And that other thing. A female employee at his office
12 called the embassy and said that they informed the State
13 Department to have things go well in what relates to Egypt."

14 Q. Directing your attention to the next line, in 1061, can you
15 please read Hana's response to Helmy's text saying that a
16 female employee at his office called the embassy, etc.?

17 A. "Perfect," exclamation point.

18 Q. And what kind of emoji does Helmy send to Hana in this
19 third 1:22 p.m. line?

20 A. Thumbs up.

21 MR. MONTELEONI: I want to look at something else
22 that's been texted about on that same day.

23 Mr. Hamill please take us to page 78 -- oh, we're on
24 78. I'm sorry.

25 Q. All right. So directing your attention to line 1058, who

O5tWmen4

Coughlin - Direct

1 is Helmy sending a WhatsApp message to in this line?

2 A. Wael.

3 Q. Can you please read the translation of the first sentence
4 of what Helmy sends to Hana on WhatsApp up to the words
5 "September 21."

6 A. "Good. Bob told me that the meeting could be on Friday,
7 September 20, or Sunday, September 22. The pacha will arrive
8 on September 21."

9 Q. Please read the rest of the translation.

10 A. "So I am working on meeting on Sunday either 1:30 or 2.
11 Check if these times would work for him."

12 Q. Directing your attention a few lines down, to the first
13 1:23 p.m. text, who does Hana write to after Helmy said check
14 if these times would work for him in the text that you just
15 read?

16 A. He writes to Nadine.

17 Q. Please read what Hana sends to Nadine by WhatsApp on line
18 1065.

19 A. "Can you confirm Sunday the 22nd meeting at 1:30 or 2 p.m.
20 OK for Bob."

21 Q. Directing your attention a few lines down to September 16,
22 2019, at 9:44 p.m., please read what Menendez texts to Nadine?

23 A. "*Mon amour*, I got a late start for dinner with Fred, who
24 tells me he has been texting with you. I'm just about to have
25 a cigar. Can call you from here or later."

O5tWmen4

Coughlin - Direct

1 Q. Directing your attention to the next line, September 17,
2 2019, at 10:17 a.m., who does Menendez email?

3 A. Fred.

4 MR. MONTELEONI: Let's look at the email briefly.

5 I'm sorry. Mr. Hamill, could you please put up
6 Government Exhibit 3D-2.

7 Q. So, directing your attention to this bottom email from
8 Menendez to Daibes, when was this bottom email sent?

9 A. September 17 at -- 2019, at 10:17 a.m.

10 Q. How long is that after the September 16 text from Menendez
11 saying he got a late start for dinner with Fred?

12 A. It's the next morning.

13 Q. Please read the file name of the attachment.

14 A. "S1102.docx.

15 Q. What do the letters docx at the end of a file name mean?

16 A. It means that it's a Word document.

17 MR. MONTELEONI: Let's look at the attachment.

18 Mr. Hamill, could you please take us to page 2.

19 Q. Directing your attention to the top of the page, please
20 read just the top line, starting with S1102.

21 A. "S1102. The Eastern Mediterranean Security and Energy
22 Partnership Act of 2019."

23 Q. Now directing your attention a few lines down, under the
24 Sec. 2 findings heading, please read just the italicized line
25 starting Congress.

O5tWmen4

Coughlin - Direct

1 A. "Congress makes the following findings."

2 MR. MONTELEONI: I'm not going to ask you to read all
3 the findings, but Mr. Hamill, if you could show numbered
4 paragraph 8.

5 Q. Special Agent Coughlin, could you please read numbered
6 paragraph 8?

7 A. "The recent discovery of what may be the region's largest
8 natural gas field off the Egyptian coast and the newest
9 discoveries of natural gas off the coast of Cyprus could
10 represent a significant and positive development for the
11 Eastern Mediterranean and the Middle East, enhancing the
12 region's strategic energy significance."

13 MR. MONTELEONI: Let's return to the timeline.

14 Mr. Hamill, please take us back to page 78 of
15 Government Exhibit 1302.

16 Q. Directing your attention to line 1071, Special Agent
17 Coughlin, at 11:51 a.m., who does Daibes forward this email
18 from Menendez to?

19 A. He forwards it to Will, Wael.

20 Q. Does that forwarded email include the attachment?

21 A. Yes.

22 Q. And now directing your attention to the next line, at 12:01
23 p.m., what does Hana text to Helmy?

24 A. He texts S1102.

25 Q. And now, was there an indication of a document attached to

O5tWmen4

Coughlin - Direct

1 that message?

2 A. There was an indication that a document was attached, yes.

3 Q. Was that document readable?

4 A. It was not.

5 Q. What type of document was attached?

6 A. It was an indication that it was a Word document.

7 MR. MONTELEONI: Let's look at what happened that
8 afternoon and evening.

9 Q. Directing your attention to line 1073, September 17, 2019,
10 at 3:24 p.m., can you please read what Nadine texts to
11 Menendez?

12 A. "I dropped Will back at his office. Whenever you have time
13 give me a call I'll give you an update. All good." Heart
14 emoji.

15 MR. MONTELEONI: Mr. Hamill, could you please take us
16 to page 79.

17 Q. Directing your attention to the first line, what does
18 Nadine text to Hana at 4:48 p.m. on September 17?

19 A. "I told my better half about Uruguay," three exclamation
20 points.

21 Q. Directing your attention to the next line, please read what
22 Nadine texts Hana at 4:50 p.m.

23 A. "He thinks you are going to get in trouble at Ventana
24 tonight LOL..."

25 Q. Directing your attention to the next line, line 1076,

O5tWmen4

Coughlin - Direct

1 please read Hana's response.

2 A. He writes: "LOL.

3 "I can't.

4 "I have a valuable asset."

5 Q. Directing your attention to line 1077, could you please
6 read Nadine's message at 6:10 p.m.?

7 A. "Are you going at 7:30 p.m.? Or later?"

8 Q. Directing your attention to line 1078, can you please read
9 Hana's response at 6:38 p.m.?

10 A. "7:3."

11 Q. Directing your attention to the next line, please read what
12 Nadine writes to Hana at 7:41 p.m.

13 A. "On my way."

14 MR. MONTELEONI: Then I'll look at one other thing.

15 Mr. Hamill, please put up Government Exhibit A101-102
16 and expand the bottom text on that page.

17 Q. Special Agent Coughlin, who is Nadine texting in this
18 bottom text?

19 A. Menendez.

20 Q. And where she says just got to Ventana, what time is it?

21 A. It is 7:59:58 p.m.

22 Q. How does that compare to the 7:41 p.m. time where she
23 texted Hana on my way?

24 A. It's about 18 minutes later.

25 MR. MONTELEONI: Mr. Hamill, could you please take us

O5tWmen4

Coughlin - Direct

1 back to Government Exhibit 1302, page 79.

2 Q. Directing your attention to the line after the on-my-way
3 text that you read before, line 1080, can you please read the
4 translation of what Hana sends to Helmy through WhatsApp at
5 9:39 p.m.?

6 A. "Our man is going to India after two weeks and is asking if
7 we need any message or anything for IS EG."

8 MR. MONTELEONI: Mr. Hamill, could you please put up
9 what's in evidence as Government Exhibit 7H-1.

10 Q. Special Agent Coughlin, directing your attention to the top
11 center of the page, please read the word under the logo.

12 A. "Ventana's."

13 Q. Directing your attention a few lines down, please read the
14 date and time?

15 A. Yes. "9/17/19, 10:28 p.m."

16 Q. And about how long is that after Nadine wrote on my way at
17 7:41 p.m. on that day?

18 A. It's a little less than three hours.

19 Q. And about how long is that after Hana wrote the text to
20 Helmy that you just read at 9:39 p.m.?

21 A. It's about -- a little less than an hour.

22 Q. Above the time, could you please read what is written after
23 guests?

24 A. "9."

25 Q. Now, going down to the bottom left -- bottom right, rather,

O5tWmen4

Coughlin - Direct

1 please read the name under the signature line.

2 A. Yes. It says, "Hana/Wael."

3 MR. MONTELEONI: So a few minutes ago you read some
4 messages discussing Bob's availability on Saturday, the 21st,
5 or Sunday, the 22nd, let's return to that.

6 Mr. Hamill, please put up Government Exhibit 1302,
7 page 79.

8 Q. Directing your attention to September 19, 2019, at 1:31
9 p.m., line 1083, please read Daibes's message to Menendez.

10 A. "Hey, Bob. Now they're saying anytime on Saturday and up
11 till 7 on Sunday."

12 Q. Directing your attention to the next line, please read
13 Daibes's message to Menendez at 5:54 p.m.?

14 A. "Lotte NY Palace. 455 Madison Avenue at 50th Street and
15 Madison. One on Saturday."

16 Q. Directing your attention to the next line, on September 20,
17 2019, at 6:45 p.m., who does Nadine text?

18 A. She texts Helmy, Ahmed Helmy.

19 Q. Please read what she texts.

20 A. "Bob said 1 p.m. tomorrow."

21 MR. MONTELEONI: Mr. Hamill, could you please put up
22 to one side Government Exhibit 10J-2 and expand September.

23 Q. What day of the week, Special Agent Coughlin, was September
24 21, 2019?

25 A. The 21st was a Saturday.

05tWmen4

Coughlin - Direct

1 MR. MONTELEONI: You can take down the calendar,
2 Mr. Hamill.

3 Thank you.

4 Q. Now, directing your attention to the September 20, 2019,
5 9:38 p.m. line, line 1088, can you please read what Helmy texts
6 to Nadine?

7 A. "Hi, Nadine. I spoke with the schedule guy. First, we
8 will be honored to have Bob tomorrow at 1 p.m. Second, as far
9 as he is our honorable guest so he can bring with him whoever
10 he sees suitable for the meeting."

11 MR. MONTELEONI: Mr. Hamill, could you please take us
12 to page 80.

13 Q. Directing your attention to line 1090, the 11:15 a.m. line
14 on September 21, please read what Nadine writes to Menendez.

15 A. "*Mon amour de la vie*. I think it's better that I pass up
16 on this meeting. I wish you to have a super day."

17 Q. Directing your attention to 11:48 a.m., can you please read
18 Menendez's response?

19 A. "OK, *mon amour de la vie*."

20 Q. Directing your attention to 10:06 p.m. on line 1092, who
21 texts Menendez?

22 A. Fred. Fred Daibes.

23 Q. Please read what Fred Daibes texts Menendez.

24 A. "Hey, Bob. Let's meet at the Starbucks on the corner of
25 49th and Madison and we can go in together."

O5tWmen4

Coughlin - Direct

1 Q. How far away would the Starbucks at 49th and Madison be
2 from the address of the Lotte Palace that you just read a few
3 minutes ago?

4 A. I've actually seen this Starbucks. It's even less than a
5 block.

6 Q. And have you actually, have you been to the Lotte Palace
7 hotel at Madison and 50th Street?

8 A. I have, yes.

9 MR. MONTELEONI: Mr. Hamill, could you please show
10 just the witness, the parties and the Court Government Exhibits
11 2B-32, 2B-33, 2B-34, and 2B-35.

12 Q. Special Agent Coughlin, do you recognize those photos?

13 A. Yes.

14 Q. Did you take those photos?

15 A. I did not, no.

16 Q. What are those photos of?

17 A. They're of the Lotte New York Palace.

18 Q. Do they fairly and accurately represent the appearance of
19 that hotel?

20 A. Yes.

21 MR. RICHENTHAL: We offer Government Exhibits 2B-32,
22 2B-33, 2B-34, and 2B-35 in evidence.

23 THE COURT: Without objection, admitted.

24 (Government Exhibits 2B-32, 2B-33, 2B-34, and 2B-35
25 received in evidence)

O5tWmen4

Coughlin - Direct

1 MR. MONTELEONI: Mr. Hamill, could you please publish
2 2B-32.

3 Please publish Government Exhibit 2B-33.

4 Please publish Government Exhibit 2B-34.

5 Can you please publish Government Exhibit 2B-35.

6 Mr. Hamill, could you please take us back to
7 Government Exhibit 1302, page 80.

8 Q. So, first of all, directing your attention to line 1093,
9 what does Menendez write after Daibes texted him about meeting
10 at the Starbucks?

11 A. He writes: "OK. I will be arriving at 12:30 p.m."

12 Q. Directing your attention to 12:07 p.m., could you please
13 read Daibes's reply?

14 A. "Perfect."

15 Q. Now, on the next line, line 1095 -- so, first, how long is
16 the text message sent on that line sent after Nadine texted
17 Menendez I think it's better that I pass up on this meeting, at
18 11:15 a.m.?

19 A. It's about an hour.

20 Q. So on line 1095, can you please read what Nadine texts to
21 Menendez at 12:17 p.m.?

22 A. "I am not going to get angry or get any more upset, but one
23 day I really would love to know one of the pyramids collapsed
24 and he is trapped forever. I will reread your text throughout
25 the day. Remembering Saro's words, sometimes it doesn't pay to

O5tWmen4

Coughlin - Direct

1 be nice, but I will put those words aside. I know God is on my
2 side and this, too, shall pass."

3 Q. Directing your attention to 12:18 p.m., can you please read
4 Menendez's response?

5 A. *"Mon amour*, if you wanted you could have come."

6 Q. Directing your attention to 12:19 p.m., please read what
7 Menendez writes a minute later.

8 A. "I think you made the right decision."

9 MR. MONTELEONI: Mr. Hamill, can you please put up
10 Government Exhibit 1430 -- sorry.

11 Can you please show just the witness, the parties and
12 the Court Government Exhibit D108, what's marked for
13 identification as Government Exhibit D108.

14 All right. Mr. Hamill could you also just show the
15 witness D112, what's marked for identification as Government
16 Exhibit D112.

17 All right. If you could do that side by side with
18 D108.

19 Q. Special Agent Coughlin, have you reviewed Government
20 Exhibit D112 prior to testifying?

21 A. Yes.

22 Q. All right. And have you compared the first portion of the
23 source file path in Government Exhibit D112 with the first
24 portion of the source file path in Government Exhibit D108, the
25 report of the voice mail from Daibes's phone that you looked at

O5tWmen4

Coughlin - Direct

1 earlier?

2 A. Yes.

3 Q. What did you find when you compared the first portions of
4 those two file paths?

5 A. The first portion is the same.

6 MR. MONTELEONI: The government offers Government
7 Exhibit D112 in evidence.

8 THE COURT: Admitted, without objection.

9 (Government Exhibit D112 received in evidence)

10 MR. MONTELEONI: Mr. Hamill, could you please take
11 down Government Exhibit D108 and publish Government Exhibit
12 D112.

13 Q. Directing your attention up above the gray column headings
14 over to the left, please read the large word above the column
15 headings.

16 A. It says notes.

17 Q. Down in the time field, could you please read the created
18 time?

19 A. "9/21/2019." The time is 7:03:42 p.m. UTC plus zero.

20 Q. So how does 9/21/2019 compare to the date of this Lotte
21 Palace hotel that we've been seeing the discussion of?

22 A. It's the same date.

23 Q. If you subtract four hours for Daylight Savings Time,
24 what's the Eastern Daylight Time that the created field would
25 read?

05tWmen4

Coughlin - Direct

1 A. It would be 3:03.

2 Q. And how does that compare to the 12:30 p.m. time of the
3 meeting?

4 A. It's two and a half hours later, roughly.

5 Q. And then in the note box in the middle, two lines down,
6 where it says source, what does it say after the word "source"?

7 A. It says Notes.

8 Q. Is Notes an iPhone app?

9 A. It is, yes.

10 Q. Above the source line, could you please read the title?

11 A. Abbas Kamel.

12 Q. And can you please remind the jury who Abbas Kamel has been
13 described to Menendez as?

14 A. I don't recall.

15 MR. MONTELEONI: All right. Let's take a look at
16 Government Exhibit A101-27.

17 All right. Can you please expand the bottom text
18 message, Mr. Hamill.

19 Q. Could you please read the text that Nadine Arslanian's cell
20 phone user sends to Menendez?

21 A. Yes. "His meeting with Major General Abbas Kamel, head of
22 the general intelligence service."

23 Q. And now how does that name compare to the name that we just
24 saw in the Notes file in Government Exhibit D112, which has the
25 same first part of the source file path as the voice mail from

O5tWmen4

Coughlin - Direct

1 Daibes's phone?

2 A. It's the same.

3 MR. MONTELEONI: All right. Now I want to look at
4 something that happens a couple of days later.

5 Do you want me to turn to a couple of days later with
6 one minute, your Honor?

7 THE COURT: Yes. Well, you don't have to worry about
8 one minute.

9 MR. MONTELEONI: Sure.

10 THE COURT: Why don't you do what you have to do.

11 MR. MONTELEONI: All right.

12 Mr. Hamill, could you please take us back to
13 Government Exhibit 1302, page 80.

14 Q. Directing your attention to line 1098, at 3:34 p.m., who
15 does Nadine text?

16 A. She texts Daibes, Fred Daibes.

17 MR. MONTELEONI: Let's look at the text.

18 Mr. Hamill, could you please publish Government
19 Exhibit D102-10, page 1. And could you please expand the
20 bottom text on the page.

21 Q. Special Agent Coughlin, could you read the first about two
22 lines of the text up to mortgage company directly.

23 A. "Good afternoon, Fred. Sorry to bother you with this
24 issue. I have not received any checks from Wael. Since the
25 check that was sent to the mortgage company directly."

O5tWmen4

Coughlin - Direct

1 Q. Please read the next few lines starting from the
2 understanding up to \$36,431.46.

3 A. "The understanding is that he would give me a check the
4 first of every month. Could you please have him leave a check
5 in an envelope at his lobby at the Alexander. I will pick it
6 up at night. Including October, it should be \$36,431.46."

7 Q. Please read the rest of the quoted text.

8 A. "Thank you, Fred. I was hoping I would not have to involve
9 you and hopefully starting November 1st he will do it
10 automatically."

11 MR. MONTELEONI: Let's look at Daibes's response.

12 Mr. Hamill, could you please publish page 2 of
13 Government Exhibit D102-10 and expand the top bubble.

14 Q. Special Agent Coughlin, could you please read Daibes's
15 response to this text from Nadine?

16 A. "Nadine, I personally gave Bob a check for September."

17 Q. Now, how long is this September 23, 2019, date, where
18 Daibes writes, Nadine, I personally gave Bob a check for
19 September, after August 30 when Daibes texted Hana going to
20 meet with him now?

21 A. It's 24 days later.

22 Q. How long is it after the August 31, 2019, deposit of the
23 \$10,000 check from IS EG Halal into Strategic International
24 Business Consultants account that we looked at?

25 A. It's 23 days later.

O5tWmen4

Coughlin - Direct

1 Q. If you subtract four hours for Daylight Savings Time, what
2 time on September 23, 2019, did Daibes send this text message
3 we're looking at?

4 A. It would be 3:37 Eastern.

5 Q. Directing your attention to the next message on the page --

6 MR. MONTELEONI: If you could take us down there,
7 Mr. Hamill.

8 Q. -- could you please read what Daibes writes to Nadine?

9 A. "Please send me a rundown of what you believe you are
10 owed."

11 Q. Directing your attention to the next blue bubble, what type
12 of files does Nadine send to Daibes after he writes please send
13 me a rundown of what you believe that you are owed?

14 A. They're JPEG files, which are image files.

15 MR. MONTELEONI: All right. And Mr. Hamill, can you
16 please --

17 Q. Looking at the bottom bubble, at the bottom of page 2, top
18 of page 3, what date does this bubble indicate that Nadine
19 sends these image files to Fred Daibes?

20 A. 9/24, 2019.

21 Q. If you subtract four hours from UTC for Daylight Savings
22 Time, about what time of day does she send these images?

23 A. 7:28 a.m.

24 MR. MONTELEONI: I want to look at these images, but
25 first, Mr. Hamill, could you please put up Government Exhibit

O5tWmen4

1 1435.

2 THE COURT: Find a logical breaking point.

3 MR. MONTELEONI: I think that this is a good point,
4 because there's going to be an offer of evidence.

5 THE COURT: All right.

6 Ladies and gentlemen, you have heard quite a lot of
7 testimony today. I appreciate your attention. We're going to
8 break now for the evening.

9 I want to give you an update on what the next few days
10 look like, because you asked for that.

11 Tomorrow, Thursday, 9:30 to five.

12 On Friday, it's going to be half a day. I think
13 that's a change from what I've told you, so you'll be able to
14 go to work or do whatever you'd like in the morning. It will
15 be one to five. We'll run it right through. You'll get a
16 chance for a midafternoon break, but have eaten lunch before
17 you come. Friday is one to five.

18 Monday is also one to five, half a day then as well.
19 So you'll be able to again go to work in the morning or do
20 whatever you want. Same thing, have eaten by one, and we'll go
21 right through.

22 The rest of the week -- Tuesday, Wednesday, Thursday,
23 Friday -- will be 9:30 to five unless the jury wants to start
24 at nine. If the jury wants to start at nine, we can do that,
25 and you can discuss that. There is no need to have disputation

O5tWmen4

1 about it, but if the jury wants to come in at nine, we'll start
2 at nine for the rest of the week.

3 I hope that helps you plan the next week and couple of
4 days.

5 Enjoy the sun. I think there's still sun.

6 Don't talk about the case. Keep an open mind. Don't
7 watch any news about it.

8 See you tomorrow at 9:30. Thank you.

9 (Continued on next page)

O5T3MEN5

1 THE COURT: You may step down, sir. We'll see you
2 tomorrow.

3 9:30 tomorrow.

4 MR. WEITZMAN: Your Honor, I have one matter.

5 THE COURT: Yes. You may be seated in the courtroom.

6 MR. WEITZMAN: Just wait for the witness.

7 THE COURT: Yes.

8 (Witness not present)

9 MR. WEITZMAN: Your Honor, the application I'm making
10 and then I'll explain is to strike a portion of the testimony
11 relating to lines 1031 through 10 -- largely 1055 of this
12 witness's testimony. These are the lines that correspond to
13 the redactions of speech and debate entries, and Mr. Monteleoni
14 led into that section, and I think I'm quoting here.

15 THE COURT: When you say the redactions of the speech
16 and debate. The redactions that were requested on the motions
17 for reargument, I denied that motion. So there are no
18 redactions there.

19 MR. WEITZMAN: That's correct, your Honor. The lines
20 are redacted on the government exhibit.

21 THE COURT: I see. Let's take a look.

22 MR. WEITZMAN: Thank you. And so, what happened
23 was --

24 THE COURT: Let me just take a look. What are the
25 redactions you are talking about here?

O5T3MEN5

1 MR. WEITZMAN: Those are redactions of --

2 THE COURT: Are you talking about redactions on each
3 line or are you talking about the black lines?

4 MR. WEITZMAN: The black lines. And what's redacted
5 there, and I'm not suggesting that Mr. Monteleoni in any way
6 previewed that. The opposite. What's redacted there is the
7 portion of our speech and debate application that concerned a
8 hold that Senator Menendez was suggested to have put on.

9 THE COURT: I said that wasn't for the jury. So
10 therefore, they've taken it out.

11 MR. WEITZMAN: Correct, your Honor. What happened was
12 we lead into that in line 1029 with an invitation to the
13 Egyptian Armed Forces Day. And then the next thing
14 Mr. Monteleoni says is "Now I want to go over something that
15 happens that evening," and he does this dramatic reading with
16 the witness of how Ahmed Helmy asks "Is this true?" And then
17 there is a flurry of phone calls and text messages and it ends
18 with not true and he knows nothing about it from Will Hana
19 after contacting Robert Menendez.

20 The issue is that there is absolutely no way the jury
21 can interpret any of this evidence or draw any inferences from
22 this evidence. The subject matter of Mr. Helmy's question is
23 absent. I was frankly surprised that they went into it with
24 this dramatic reading.

25 THE COURT: First of all, there is nothing dramatic

O5T3MEN5

1 that I've heard.

2 MR. WEITZMAN: I would agree with that generally. But
3 on this part, they tried to liven it up a bit. But it is a 403
4 problem. There's no inferences that can be drawn, and the
5 evidence should not stand as a result. It can only result in
6 speculation and juror confusion.

7 THE COURT: Are you saying that there is no predicate
8 in this record due to the redaction, there is no predicate to
9 Helmy's question "is this true" and then what you characterize
10 as a flurry or what was characterized as a flurry of WhatsApp
11 texts? Is that your point?

12 MR. WEITZMAN: That is. Because there isn't a
13 predicate, it invites the jury to speculate and can only result
14 in juror confusion.

15 THE COURT: I understand the point. Let me hear from
16 the government.

17 MR. MONTELEONI: Your Honor, any case that involves a
18 series of text messages and phone calls is going to involve the
19 jury making inferences about the significance of that evidence
20 from fragmentary information. There are a number of messages
21 that we have offered that also convey similar essential
22 information which is a person is interested in learning
23 something. A person wants something. A person wishes a call.

24 THE COURT: Let me ask this. When Helmy on line 1031
25 says "Is this true?" etc. What is the inference there that the

O5T3MEN5

1 jury can make? What inference, if any, is the jury supposed to
2 make from the question "Is this true?"

3 So, I guess another way of me to phrase that is where
4 in the record is the "this" in the question "is this true?"

5 MR. MONTELEONI: So there are two things that they can
6 infer based on. First of all, even if this exchange didn't
7 continue any farther, the jury has heard extensive evidence
8 about Helmy's role, his connection with the Egyptian government
9 and about, in particular, his interest in Menendez's
10 involvement in matters related to the U.S. Egyptian
11 relationship.

12 THE COURT: I understand. Just a moment. I
13 understand that point. I don't think that addresses my
14 question. What can the jury infer is the "this" in the
15 question "is this true?"

16 MR. MONTELEONI: They could, if you keep going down,
17 Mr. Hamill, can you please going down a little bit. On
18 September 12 I believe, there was -- that's not the right
19 version.

20 Oh. Who's putting it up on the screen? Can you
21 please take that down. Mr. Hamill, can you use the version
22 that's in evidence.

23 So here, line 1060, the Court did not actually strike
24 anything, but consistent with the Court's ruling, we redacted
25 information that mentioned a legislative act of Menendez.

O5T3MEN5

1 There is an additional strike that the Court did not rule
2 concerning a general statement that an employee stated that
3 they informed the State Department to have things go well, and
4 what relates to Egypt. This in fact is what they're talking
5 about. It talks about it in general terms that doesn't mention
6 a legislative act, and the jury is entitled to infer that as
7 well as to draw inferences such as when people ask for a call
8 or when people ask for a meeting, you don't always know
9 precisely what it's about.

10 THE COURT: I don't think that answered my question.
11 I think what you possibly told me is there are other instances
12 where the jury may not know what's at issue.

13 MR. MONTELEONI: Your Honor, this is actually, if you
14 trace it, this is a follow-up of the same communications that
15 Helmy was having with Hana just two days later. The jury is
16 very well able to infer that this statement relates back to the
17 subject matter that he's asking about.

18 THE COURT: Wait. I'm concerned with the statement in
19 1031.

20 MR. MONTELEONI: Yes.

21 THE COURT: Go ahead.

22 MR. MONTELEONI: So exactly. The statement in 1031
23 "is this true." The jury is not going to know what it is at
24 that point. But in fact, if they follow this thread the whole
25 way through, they will see and they will be able to infer that

O5T3MEN5

1 it relates to the statement in 1060, because in fact in reality
2 it does.

3 The forwarded message that is blacked out here,
4 consistent with the Court's ruling, is the same forwarded
5 message that was blacked out in line 1030. It absolutely does
6 in fact relate to the same subject matter, and that is a
7 natural inference for the jury to draw based on the evidence of
8 their relationship, and the time of the communications.

9 THE COURT: Again, what's the logical inference for
10 the jury to draw? Spell it out for me.

11 MR. MONTELEONI: Sorry. That he's asking about some
12 matter related to aid to -- U.S. aid to Egypt, and that that
13 matter is ultimately answered by the report that Helmy receives
14 that a female employee called the embassy and said they
15 informed the State Department to have things go well in what
16 relates to Egypt.

17 THE COURT: Female employee at Helmy's office?

18 MR. MONTELEONI: I believe the inference it would be
19 at Menendez's office. But, again, this is information that was
20 not subject to the Court's ruling that we proceeded, relying on
21 the Court's ruling --

22 THE COURT: I understand that. Let me go back to 1031
23 and 1030. Mr. Weitzman.

24 MR. WEITZMAN: Yeah. So, two points. The first is, I
25 view the line "A female employee at his office called the

O5T3MEN5

1 embassy and said that they informed the State Department to
2 have things go well" in what relates to Egypt to be totally
3 incomprehensible.

4 I am now hearing from Mr. Monteleoni that they will
5 argue that that does actually concern some sort of funding for
6 Egypt. In which case, in which case, your Honor, I believe it
7 should have been redacted. Your Honor's ruling was clear that
8 the entry regarding the State Department funding and all of
9 this needed to be redacted. I'm surprised that they are now
10 arguing this. I thought it was a totally different topic when
11 they included that in there. So, I'm just not sure that, A,
12 the jury can draw that inference, or B, they have a -- the
13 government has any basis to make that argument. And if they do
14 make that argument, I think that's in violation of your Honor's
15 ruling.

16 MR. MONTELEONI: Your Honor, I have to respond to that
17 if I may. We're not going to argue that this is any
18 legislative act. We are not going to argue --

19 THE COURT: I don't see it, I don't see that part of
20 what Mr. Weitzman is saying. Go ahead.

21 MR. MONTELEONI: But look, your Honor, these are
22 arguments for the jury that they should conclude that the
23 evidence is inconclusive. This is some of the classic defense
24 arguments.

25 THE COURT: You don't want them to conclude that the

O5T3MEN5

1 evidence is inconclusive I take it.

2 MR. MONTELEONI: Of course not. This is an argument
3 that goes to the weight, not the admissibility. What a text
4 message means, whether the jury has enough context to
5 understand that it supports the inferences we are urging or the
6 defense urges, this is for argument.

7 They can absolutely say, taking this in isolation, we
8 don't understand this, you shouldn't understand this, this
9 doesn't amount to reasonable doubt. This is the stuff of jury
10 argument. But it is certainly not a basis for exclusion of
11 evidence.

12 THE COURT: It might be, to the extent there is
13 absolutely no predicate in the record for the "this." That's
14 what Mr. Weitzman is arguing it seems to me.

15 MR. MONTELEONI: All right, your Honor, but I think --

16 THE COURT: The phrase "is this true."

17 MR. MONTELEONI: But again, I think that there are
18 plenty of pronouns that are used to refer to things in text
19 messages where the jury's going to have to infer what "this" is
20 talking about. There are times and that happens. If we were
21 to just sort of say, unless you can tie out exactly what each
22 "this" means you can't --

23 THE COURT: I understand the point. Let me look at
24 the colloquy on this when it came up when I get the transcript
25 tonight. Okay?

O5T3MEN5

1 MR. WEITZMAN: Thank you, your Honor.

2 THE COURT: Sure. How much longer do you think you
3 have with this witness?

4 MR. MONTELEONI: I have to go back and look.
5 Definitely we'll be done in the morning, but I don't know when
6 into the morning.

7 THE COURT: Have you told the other side who your next
8 witnesses are? Have you told the Court who your next witnesses
9 are?

10 MR. MONTELEONI: The other side yes. The Court, no.
11 But we may have to retool because of the half day. We may have
12 to switch up the order because we have some out-of-town
13 witnesses. I can tell you right now what our current thinking
14 is.

15 THE COURT: Please. That's what I'm asking.

16 MR. MONTELEONI: All right. But I wanted to put a
17 huge asterisk because of the timing.

18 So, Ted McKinney would be our next witness. And then
19 after that --

20 THE COURT: How long do you think he is?

21 MR. MONTELEONI: I think a couple of hours probably on
22 direct.

23 THE COURT: All right.

24 MR. MONTELEONI: And it also is going to depend on
25 obviously the length of the defense crosses. I understand that

O5T3MEN5

1 Mr. Weitzman has suggested to me that it is going to be
2 somewhat substantial time-consuming cross with Special Agent
3 Coughlin. We don't really know what the defense cross of
4 McKinney is going to look like or how long that will take. But
5 assuming there is time after that, we expect to call a pair of
6 FBI employees who engaged in surveillances.

7 It is seeming unlikely we are going to get that much
8 farther after that.

9 THE COURT: Mr. Weitzman, you've certainly heard a
10 great deal from Coughlin, so you might have a pretty good sense
11 of what your cross is going to be. I'm not sure, obviously, it
12 will be up to you, but I'm not quite sure what it can be. He's
13 simply repeating ad infinitum what's set forth in a document
14 that's in evidence.

15 MR. WEITZMAN: Yes, your Honor. I think it will be
16 clear that there is substantial cross to be had about the
17 evidence that's set forth in the summary chart and the lack of
18 evidence, and other evidence that was excluded from the chart.
19 The inferences to be drawn and so on. I will have a few hours
20 with him.

21 MR. MONTELEONI: Your Honor, may I just raise one
22 matter. I certainly agree that if he believes that the chart
23 doesn't adequately summarize some fact or something like that,
24 that's obviously appropriate subject for cross. But the idea
25 of crossing a witness who doesn't know anything about evidence,

O5T3MEN5

1 just about lack of evidence generally, that --

2 THE COURT: I'm not sure what that is. I take it he
3 did not select what items were on this chart. Is that right?

4 MR. MONTELEONI: That's right. That's what he
5 testified.

6 THE COURT: Mr. Weitzman.

7 MR. WEITZMAN: Your Honor, he's not the typical
8 summary witness. In many cases I've seen summary witnesses and
9 they are paralegals. He is an FBI agent. He is on the Public
10 Corruption Squad that investigated this case. I'm entitled to
11 ask him about whether certain evidence changes the quality or
12 interpretation of the evidence that he has put in this chart.

13 THE COURT: I don't see that, sir. Let me hear from
14 the government.

15 MR. MONTELEONI: Yes, we didn't ask him to interpret
16 anything. He's not forming an opinion.

17 THE COURT: He's not, Mr. Weitzman. He's not an
18 expert here.

19 MR. WEITZMAN: No, nor am I going to treat him as an
20 expert.

21 THE COURT: But your questions about the quality of
22 the evidence is something for an expert I would think.

23 MR. WEITZMAN: The jury will be left with its
24 inferences about the quality of the evidence. I'm not going to
25 ask him about that. But there are communications, for example,

O5T3MEN5

1 that fundamentally change the interpretation of what's in the
2 chart. There are documents that fundamentally change what's in
3 this chart in ways --

4 THE COURT: Wait just a moment. Documents that are
5 not on the chart.

6 MR. WEITZMAN: Correct. And that --

7 THE COURT: Just a moment. Let's get our facts, just
8 the facts. They're not on the chart. As I understand it, he
9 had no role to play in what's on the chart and what is not on
10 the chart. So go ahead.

11 MR. WEITZMAN: So --

12 THE COURT: So he can't speak to other documents that
13 are not on the chart -- what other documents that are not on
14 the chart would hypothetically do to inferences to be drawn
15 from the chart? Seems to me --

16 MR. WEITZMAN: Let me give you a hypothetical. He's
17 had access to text messages, he's had access to the phone call
18 records. There has been cherrypicking here. There has been
19 exclusion of certain text messages.

20 THE COURT: Just a moment. Let's go slowly so we're
21 on the same wavelength here.

22 MR. WEITZMAN: There has been exclusion -- sorry, your
23 Honor. I didn't realize. I thought you wanted me to talk more
24 slowly. I didn't realize you wanted to talk yourself.

25 THE COURT: Again, my understanding is he had no role

O5T3MEN5

1 to play in what he was shown. And he just has put that stuff
2 up, and he's recited what's there.

3 So far am I correct, Mr. Monteleoni?

4 MR. MONTELEONI: Yes, your Honor. Except he visited
5 the hotel.

6 THE COURT: Why there are pictures of the hotel, I
7 have no idea. So, if he has not seen anything that's not
8 there, how can you question him about what's not there? You
9 can establish, it seems to me, that he only knows what was on
10 the chart.

11 MR. WEITZMAN: Well, if that were true, your Honor,
12 this cross-examination would last 30 seconds.

13 THE COURT: That's what I thought it would.

14 MR. WEITZMAN: But it should not, your Honor. Because
15 they cannot provide a one-sided view through a summary witness
16 who is an FBI agent and then omit exculpatory evidence that
17 this FBI agent had access to.

18 THE COURT: Had access to but was not -- just a
19 moment. But was not given for purposes of what he was tasked
20 with doing.

21 MR. WEITZMAN: Some of it he was, your Honor.

22 THE COURT: In other words, it seems to me that the
23 government could just as easily have had a paralegal do that.
24 Go ahead.

25 MR. WEITZMAN: Some of it he has reviewed, your Honor.

O5T3MEN5

1 There are text messages, phones that he had access to and he
2 has reviewed it. He has reviewed.

3 THE COURT: Just a moment. Are you saying that he has
4 reviewed documents that are not on the chart?

5 MR. WEITZMAN: Yes, your Honor. I believe he has.

6 THE COURT: Government?

7 MR. MONTELEONI: I mean, I think it's possible in the
8 drafting process that there were a few documents that he looked
9 at that weren't in the chart. But he certainly has not been
10 doing any type of -- he testified he was not participating in
11 the investigation. He's not been doing any type of
12 wide-ranging review.

13 The defense, if they want to establish this, should
14 call their own summary witness. That's the appropriate way of
15 doing it. That's what was ordered in other cases in which this
16 has come up. That's what Judge Schofield ordered in *United*
17 *States v. Calk*. This is a classic way of doing it.

18 THE COURT: What's the classic way of doing it?

19 MR. MONTELEONI: The classic way of doing it is if
20 there are issues with the documents that he is talking about,
21 issues about how the chart summarizes those documents, he can
22 be cross-examined about that.

23 THE COURT: No. That's not what Mr. Weitzman is
24 saying.

25 MR. MONTELEONI: I know. What he is --

O5T3MEN5

1 THE COURT: I'm perfectly prepared to have him be
2 crossed on that.

3 MR. MONTELEONI: So are we. What is standard, what
4 has been done in the past, is to limit the cross-examination to
5 the scope of the direct examination. Not to be asking a
6 witness about a number of documents that he wasn't shown that
7 he has no knowledge of.

8 THE COURT: I think you and I are saying the same
9 thing.

10 MR. MONTELEONI: Yes.

11 THE COURT: Sir.

12 MR. WEITZMAN: I don't plan to go beyond the scope of
13 this chart. I really do not.

14 THE COURT: That's all you've been telling me. You've
15 been telling me you are going to ask him about documents that
16 are not on that chart.

17 MR. WEITZMAN: Well, but, they inform what's on the
18 chart. It is within the scope of the chart. The subject
19 matter of the documents and what these documents mean.

20 THE COURT: No, no, sir. You can question him, I
21 mean, you can establish from him, just repeat it if you want,
22 that he just looked at what he was given, and it's the
23 prosecutors who decided what was there. And then you can
24 question him if you want about his testimony about those
25 documents. But not about other documents that may or may not

O5T3MEN5

1 inform his choice of what's on the chart. Because it wasn't
2 his choice as to what was on the chart.

3 MR. WEITZMAN: So, your Honor, the way I've seen this,
4 the summary witness should be able to be crossed about the
5 decisions made about a summary chart and that is because --

6 THE COURT: Just slow down.

7 MR. WEITZMAN: Yeah, the summary witness --

8 THE COURT: Just a moment. When I say slow down it
9 means let the judge say something. When I say slow down to
10 Mr. Monteleoni, it's because the interpreters and the reporters
11 are begging me to get him to slow down. It is a different slow
12 down.

13 You just told me the way I've seen the summary witness
14 should be able to be crossed about the decisions made about a
15 summary chart. As I understand it, and Mr. Monteleoni will
16 correct me if I'm wrong, this witness made no decisions about
17 the chart. Mr. Monteleoni?

18 MR. MONTELEONI: That's exactly right.

19 MR. WEITZMAN: So, your Honor, they've had an FBI
20 agent sit --

21 THE COURT: Could be a paralegal.

22 MR. WEITZMAN: But they chose an FBI agent.

23 THE COURT: Yes, sir. Who had no role, he said, has
24 no role in the investigation.

25 MR. WEITZMAN: He said, I think he said not really or

O5T3MEN5

1 something, but I'll clear that up with him. But, in any event,
2 they've had him testify as an FBI agent for two more than two
3 days.

4 THE COURT: They've had him, I don't know if they've
5 had him testify as an FBI agent. They've had him testify
6 repeating endlessly what's on this chart.

7 MR. WEITZMAN: But the decisions made as to what is in
8 the chart and what is not in the chart and what is
9 cherrypicked.

10 THE COURT: Were not made by him is what I have on
11 this record. He didn't participate in any of that, sir.

12 MR. WEITZMAN: Just to finish the thought. We should
13 be permitted to cross-examine some witness about this chart
14 about why it cherrypicks, why it distorts evidence. And if
15 that means that the prosecutors made the decision, then I'm
16 not -- I mean, are they putting themselves up for
17 cross-examination? Because the distortion in a chart is
18 evidentiary. And that's the problem I have, your Honor. He
19 has to subject himself --

20 THE COURT: This isn't the witness to do that.

21 MR. WEITZMAN: So who is?

22 THE COURT: That I can't tell you nor how is it
23 normally done. You each are citing cases to me how it's
24 normally done. But what I can tell you is on what I know so
25 far, he did not choose these documents.

O5T3MEN5

1 MR. WEITZMAN: I understand that, your Honor.

2 THE COURT: So he is not the person to do that with.

3 MR. WEITZMAN: But there is a fundamental problem here
4 now of fairness, and I'd like to clear this up because if a
5 prosecutor, Mr. Monteleoni or someone else, is the one who
6 chooses this, it is evidentiary to us that the chart leaves
7 fundamentally distorted views of certain facts, misrepresents
8 and cherrypicks. So how do we put that in evidence? We should
9 be able to cross-examine a witness on that, whoever is the
10 creator of the chart. They chose themselves to become
11 witnesses and be the creators the chart rather than the FBI
12 witness. I'm happy to cross-examine the FBI witness instead.
13 I wasn't planning to go there.

14 THE COURT: No, I thought that's how you started, that
15 you had two hours of cross-examination. You certainly intended
16 to go there. That was your cross-examination, as I understand
17 what you've just told me.

18 MR. WEITZMAN: That's exactly right. I wasn't going
19 to the option of we should be cross examining the prosecutor
20 who created this.

21 THE COURT: You are not going to do that. Go ahead.

22 MR. WEITZMAN: There has to be someone in the witness
23 box after two-and-a-half days who we can cross-examine about
24 the decisions made.

25 THE COURT: I understand this point.

O5T3MEN5

1 MR. MONTELEONI: May I suggest, if Mr. Weitzman
2 believes that this chart cherrypicks, distorts, etc., because
3 there are omitted documents, then he should call his own
4 summary witness. And we're not going to be able to
5 cross-examine that summary witness with documents that that
6 summary witness didn't see, didn't participate in decision
7 making of. Our cross-examination of his witness would be
8 entirely within the same proper bounds that his
9 cross-examination of our witness should be.

10 That again, this has come up before. This is, in our
11 experience, pretty standard to have a witness like this in
12 *United States v. Calk*.

13 THE COURT: You keep on saying that. If you want to
14 send me something about that.

15 MR. MONTELEONI: Just a written order.

16 THE COURT: Just a moment. The government has already
17 given me *Calk* in terms of trying to support the format of the
18 chart, which I saw no problem with. But if you have something
19 else you want to show me in *Calk*, fine.

20 MR. MONTELEONI: Sure. We can. I don't think that's
21 the only case. It was a case of mine so I remember it.

22 That said, this idea that it's fundamentally unfair
23 for the defense to make their points through some means other
24 than cross-examining a witness without knowledge is just
25 incorrect.

O5T3MEN5

1 THE COURT: I understand your point. This witness,
2 again, based on what I've been told, and what he testified to,
3 that he had no role to play in choosing the documents, and the
4 government has represented that to me as well here, you can't
5 cross him about what's not in the chart.

6 MR. WEITZMAN: So one caveat to that, your Honor.
7 He's been provided text chains that are, I don't know, tens,
8 hundreds of pages long. And he searched those text chains for
9 the communications that are cited in this chart. He said in
10 his testimony.

11 THE COURT: Wait. Go ahead. He said in his
12 testimony.

13 MR. WEITZMAN: He says in his testimony, "What did you
14 do to review it?" Referring to the chart. This is at
15 page 1172, lines 3-7. "It was a lengthy process. I reviewed
16 the entirety of the document, reviewed the underlying
17 government exhibits that the document is based on, so reviewed
18 the contents of every line of summary exhibit to determine its
19 accuracy."

20 THE COURT: So far that doesn't tell me that he read
21 all e-mail chains. And you can ask him about that. But so far
22 it tells me it was a long process and he read every line of
23 what was on the chart. And he got terribly tired and bored and
24 it took a long time. What a surprise.

25 MR. WEITZMAN: I think he says I reviewed the

O5T3MEN5

1 underlying government exhibits that the document is based on.
2 The underlying government exhibits, as they've given to us, at
3 times will have 1,000 page text chains.

4 THE COURT: I guess you can ask him about that.

5 MR. WEITZMAN: My only point is that's fair game that
6 he's reviewed it. We should be able to ask him not whether he
7 made the decision, I get he didn't make the decision. Just
8 that text was cherrypicked or was not included in the chart.
9 And we'll leave it at that.

10 MR. MONTELEONI: Your Honor.

11 THE COURT: But wait. Let me see if I understand.
12 You want to establish that he read -- I'm making it up -- a
13 e-mail chain of 100 pages. Even though there are three lines
14 that are in this chart from that 100 pages. Is that what you
15 want to do?

16 MR. WEITZMAN: I don't know whether he's read 100
17 pages or not. I would ask him and then we can take it from
18 there.

19 THE COURT: But you believe he did read more than
20 what's in the chart.

21 MR. WEITZMAN: I don't know what he's read.

22 THE COURT: You want to inquire into that.

23 MR. WEITZMAN: He was given access to the government
24 exhibits on which this chart is based. And the chart often
25 refers to very lengthy e-mail, e-mails and text exchanges.

O5T3MEN5

1 THE COURT: Got it. Government?

2 MR. MONTELEONI: So, and look, I haven't asked exactly
3 this question of the witness, but my understanding is that he
4 would check, he would start with the chart and then he would
5 check a reference document to see if it contains the matter
6 that's within the chart. So now, if there is some other part
7 of that reference document that he didn't read, then obviously
8 he shouldn't be asked about it. If there is some other part of
9 that reference document that his eyes passed through while
10 looking for the part that he was looking for, I'm not really
11 sure that that's relevant.

12 THE COURT: I understand. But are you saying that,
13 theoretically, he looked at the 100-page text, e-mail chain, to
14 locate the two lines that the government had directed him to,
15 to verify, presumably to verify that those two lines were in
16 that?

17 MR. MONTELEONI: Principally, yes.

18 THE COURT: Seems to me that's appropriate.

19 So far, Mr. Weitzman, I think you understand where I
20 am. He apparently, you can firm it up, if he has no role to
21 play with what's in that chart, you can't ask him what isn't in
22 the chart. I've taken it as far as we can.

23 MR. LUSTBERG: Just so it's clear, you were asking,
24 I'll have fairly brief cross. I think we'll see where this all
25 goes. But there are, in addition, so he testified about

O5T3MEN5

1 certain parts of the chart, did not testify about other parts
2 of the chart. Obviously he's been over the whole chart. So I
3 may ask him about stuff he did not testify to, but is in the
4 chart. I assume that's fair game.

5 THE COURT: I would think so. I would not say that's
6 beyond the scope. What's the position of the government if
7 it's on the chart. Sir?

8 MR. MONTELEONI: Yes.

9 THE COURT: But he didn't testify to. That's what
10 Mr. Lustberg is asking.

11 MR. MONTELEONI: About his verification of it,
12 absolutely. About for either type of document, about sort of
13 building a case, criticizing our decision making, that's never
14 an issue for the jury.

15 THE COURT: No. I think what Mr. Lustberg is saying,
16 and correct me if I'm wrong, sir, he wants to direct his
17 attention to things that he was not asked about.

18 Mr. Lustberg, is that correct?

19 MR. LUSTBERG: That's correct, your Honor. I may also
20 ask him about some things he said that goes directly to his
21 testimony. But it will be focused.

22 THE COURT: Government?

23 MR. MONTELEONI: We'll listen to the question and
24 we'll object if --

25 MR. LUSTBERG: Of course they will.

O5T3MEN5

1 MR. WEITZMAN: Your Honor, just to further flesh this
2 out. In our defense case we may have to rebuild this entire
3 chart, add lines and put on our summary witness that goes
4 through 1,000 lines as a result, which could take days. I
5 assume the government isn't objecting to the rehash and
6 reinterpretation of their summary chart as a result.

7 THE COURT: Wait. All right. Let me hear from the
8 government.

9 MR. MONTELEONI: I can't obviously say what -- can't
10 have a view on a chart I haven't seen.

11 THE COURT: This is silly, gentlemen. The fact of the
12 matter is there has been direct on the summary witness, he
13 wasn't part -- he is an FBI agent. Seems to me he's there more
14 as a paralegal. I don't care what we call him. But he did
15 what he did. Apparently the testimony is he had no role to
16 play in what's there. So, he can't be crossed on what isn't
17 there. That's the ruling.

18 9:30 tomorrow.

19 Mr. Weitzman, I said he can't be crossed on what isn't
20 there. If the defense establishes that he read substantively
21 other things that aren't on the chart, that's a separate issue.

22 MR. WEITZMAN: Thank you, your Honor.

23 (Adjourned to May 30, 2024, at 9:30 a.m.)
24
25

INDEX OF EXAMINATION

Examination of:	Page
MICHAEL F. COUGHLIN	
Direct By Mr. Monteleoni1286

GOVERNMENT EXHIBITS

Exhibit No.	Received
F109, F109-T and F109-A1320
10A-81367
2B-32, 2B-33, 2B-34, and 2B-351470
D1121473